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MORALITY OF THE MERCANTILE
AND MIDDLE CLASSES.

(THE THIRD OF A COURSE ON "MORALITY AS MODIFIED BY THE
VARIOUS CLASSES INTO WHICH SOCIETY IS DIVIDED.")

L O N D O N :

CHARLES FOX, 67, PATERNOSTER ROW.

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1891

THOMAS CURSON HANBARD, FATHER-NOSTER-ROW.

THE MORALITY OF THE MERCANTILE AND MIDDLE CLASSES.

THE subject of this morning's lecture is the Morality of the Mercantile and Middle Classes: that is to say, those modifications of the genuine and proper standard of morality which are either exhibited in the conduct, or towards which there is a tendency in the circumstances, of that large portion of the community which is comprised between the aristocratic and wealthy classes on the one hand, and the subjects of poverty on the other. And while in the other lectures of this course that personal and practical application, which is deemed by many the most important if not the only legitimate object of public instruction, can only be indirect and inferential, in the present instance it is direct and all-pervading. Every portion of my present subject has a personal bearing upon the great majority of those whom I am addressing, and who may be presumed to belong to the class in question. I think that this direct personal application is by many overrated as to its importance, and that there is no great consistency in its pursuit amongst those who profess to adhere to it very tenaciously. For it does seem to me that the critical inquiries which are often instituted in the pulpit,—that the various dogmas which are there expounded and enforced,—that many controversies the discussion of which is there carried on, can have little influence upon men's feelings, the formation of their characters, and the discharge of

those duties to one another in which social morality consists: while, on the other hand, whenever one can expel a falsehood from the mind, or introduce a truth, on any topic of human concerns, political or commercial, and thus lead to rectitude of opinion, something seems to me to be achieved for rectitude of character also; and in proportion as right views are formed of the various practical questions which affect the different classes of the community to which we belong, in that proportion is a probability engendered that we shall act, not as selfish but as social and benevolent beings—that we shall really acquire all that is worth acquiring in what the religionist denominates righteousness—that we shall be making advances in those religious and moral acquirements which constitute our Christian character here, and our happiness so long as man shall continue to exist, in whatever worlds, or under whatever circumstances of being.

But on the present occasion the inquiry is with regard to the influences which are over *us*, into the various agencies which are operating on every side, from which we escape neither in solitude nor in society, by night nor by day—which form the very atmosphere that we breathe, and are the support of our intellectual and moral being. The inquiry is, into what there is of good or of evil in these, which cannot fail to suggest to every individual mind the further inquiry, and to bring it directly home to his bosom—what has been the result of such agencies upon my condition, my feelings, thoughts, purposes, and pursuits—and in what way, while they are modifying the very standard of morality to which my associates endeavour to conform themselves—in what way have I need for correction, for exertion, for retracing my steps in one direction, or for augmenting the power with which I would advance in another.

The importance of this subject appears not only in its application to so very much a larger proportion of you

than the subjects of the other lectures, but in the extent of the class to which it relates throughout the whole community; (for it constitutes the bulk of the community; we generally refer to the middle classes when, without any further explanation, we speak of the people;) they are from their very numbers, as well as from the nature of their avocations, most prominent in every view of society. The persons with their families who are connected with shopkeeping alone, which is only one branch of this great class, are two millions—one-eighth of the entire population of the country in which we live; and when we add to these the numbers of the manufacturing and other descriptions who equally belong to this class, we have presented to us an imposing object of contemplation. France has been called, in its present condition, the Monarchy of the Middle Classes; it was established by them, and is more influenced perhaps by their spirit, though that spirit be constrained by the royalty which it erected, than by any thereto. America might be called the Republic of the Middle Classes;—founded by them originally in their migration from this country for the sake of liberty of conscience—the national character of its various states built up by them through successive ages, in their local governments—its independence asserted and won by them—and its present institutions and manners subject to a direct control of their power, of which there is no other instance. But the middle classes of England may make England a parallel either to the one or the other of these cases. They have in their hands power immensely superior to what belongs to any other class; they hold the greatest extent of property in the country; they can guide, if they please, the government of the country; they give the tone to the opinions of the country; its destinies are more in their hands than in those of any other which can be pointed out; on them devolves all the responsibility; and on us

is imposed the duty, with an unsparing hand, of analyzing their state, and seeing what it contains for approval or censure, for apprehension or encouragement.

There is, it is true, a large portion, speaking of the country generally, who should be included in this class, that do not partake in a full degree of the qualities that belong to the rest of it, and who will, therefore, be in some measure left out of our consideration. Speaking merely according to the condition, the farmers, the agricultural population, all above the rank of labourers, belong also to the middle classes; but they have comparatively little affinity with the remainder of those who are comprised under that denomination; they are left in something of that feudal state from which the country has long been emerging, and which we are often apt to consider as altogether a bygone thing. They are yet a mighty human power at the back of the aristocracy, rather than a section of those independent middle classes of whose opinions, characters, and influences I have now to speak. Comparatively isolated from that rapid circulation of intelligence, from that mutual sharpening of each other's intellects, from that prompt and ready co-operation on any matter either of action or of opinion which those who are congregated in towns possess; they seem yet unaware of their own true interests, of their proper condition, and the way in which they should avail themselves of the advantages of that condition for private or for public purposes; and must await the more complete diffusion of knowledge, and generation of political and patriotic feelings, in order to bring them into sympathy with the rest of the community.

With reference to the class who were the subject of our first lecture, the poor, we divided the agencies bearing on them into favourable and unfavourable, and then adverted to the means and prospect of improvement: and

this may seem to be the most natural arrangement. But in the present case a different course must be pursued, on account of this peculiarity in the condition and the circumstances of the middle classes, namely, that the very same operations and influences under which they live, tend both to evil and to good. We cannot sort out a set of good causes and a set of evil ones. The phenomenon occurs of the same fountain sending forth sweet waters and bitter; and in the influences under which they are most strongly placed, we find the tendency takes its moral character from circumstances which cause it to flow in both directions, and give us one cause for the deterioration and for the improvement.

Of these the first that offers itself to notice is the unfixedness of individual position.

In the middle classes we note an almost universal unfixedness of position. Every man is rising or falling, or hoping that he shall rise, or fearing that he shall sink. The members of the most wealthy and of the most aristocratical classes may be so high—in property so assured, with station so generally recognized—that they have nothing to apprehend. As there is left little for them to look up to on the one side, so on the other they may have no reasonable cause to fear any depreciation of that on which they value themselves; whilst, on the other hand, a large proportion of the poor, even of those who are not sunk into what is peculiarly called a state of pauperism, but a large proportion of those who live by their daily toil, can have but little anticipation, at any rate can have no rational influential hope, of advancing upwards into another grade of society. But throughout the whole extent of the middle classes, from the smallest master or shopkeeper who employs others, or even who only rests upon his own powers of labour for realizing the profit of his capital, to the most princely merchant, there is a ceaseless struggle, there is a dependence upon

income which is precarious from year to year, (you will remember I am throwing out of this estimate the professions—which come into other lectures ; I speak of the mercantile and trading part of our community) and there is a continual anxiety to increase the amount of that income or to prevent its sinking to a smaller amount.

Now from this fact flows much which is morally admirable, and much which is deeply to be deprecated. Hence arises that acuteness of perception, shrewdness, and prompt and piercing insight into the different bearing of events upon men's concerns and interests,—that activity of mind that seems to pounce upon its prey at once, and seizes with avidity what intellect not disciplined in such a school would be long and slow in appreciating, by which the middle classes are characterised. There is joined with these a good deal of decision and strong determination. Here the active faculties come into play with a vividness and force of which those unaccustomed to the bustling transactions, succeeding each other with rapidity, of a great trading and commercial country can have no conception ; which even the quiet inhabitants of remoter towns seem unable to comprehend, which baffles and bewilders them. There must be added an indomitable perseverance, which will go on from month to month and from year to year in the pursuit of its object, often toiling to accomplish that which, if realized at all, can only be realized towards the close of a life drawn out to the full verge of human existence. These I call moral qualities ; they are qualities conducive to enjoyment ; they are qualities the opposites of which are the surest pledge of suffering. For with whatever tendencies of the most beautiful description a constitution may be graced,—whatever mental energy on points of abstruse research may distinguish the faculties of the understanding,—whatever advantages there may be in outward circumstances, and in all that belongs to a man's friends, connexions, and

prospects ; still if he be devoid of such qualities as I have enumerated, and which it is the tendency of the middle classes to realize in a most extraordinary degree, if he be devoid of these,—if he be indolent, wavering, undetermined, on points of vital importance perhaps, and incapable of putting forth continuous energy whether of mind or of body, whether in the study or in the concerns of life,—we may safely predict that such a character will not build for himself a permanent pile of happiness. He is not only not realizing such enjoyment, he becomes not capable of it ; and his best pleasure is but as a reed shaken by the wind.

But whilst these qualities are the source of good, they are also the source of a large amount of mischief. In the ceaseless occupation which they produce, mind, except as to the particular objects and interests of the individual, withers. There is no opportunity, there is no time, there is no desire, for a general cultivation of the faculties. Many of the powers of the human soul, many of its most grand, and pure, and noble faculties, become altogether inert. It is to these ceaseless strivers after the realization of eternal good, as if such faculties did not exist. If a practical Atheist is said to live “without God in the world,” they may be said thus far to live without their own soul in the world ; letting it lie waste where it most deserves, for its own sake and for the results it would produce, to be cultivated and cherished until it should exhibit the moral image of a God of wisdom and love.

This ceaseless occupation, this constant struggle, also realizes other evils of a social description, as the last mentioned is a personal one. The mischiefs of the system have been strongly described, though it is scarcely possible to describe them in terms too strong for the wretched reality. The struggle of competition,—the hardness,—the selfishness,—the isolation of a person's own

interests, or those of his family, which may be considered as identical with his own, from those of his fellow-creatures,—the constant clashing,—the endeavour not merely to realize the greatest amount of useful production, not merely to minister to the public good in fair and equal harmony with a man's own realization of good, but the strife to be foremost, to outrun others even though all be damaged. O this is an agency of mischief, the deteriorating effects of which upon the moral nature it is difficult to display in colours too impressive.

Then this state of things tends to an exaggerated estimate of what is external, of mere apparent good, the worth of which is in other people's eyes and not in one's own mind. We cannot, says Hutton, become five pounds the richer but we take care to let our neighbours see it by some addition to our establishment or alteration in our mode of living; and such is the feeling which generally leads persons of this class to postpone all real enjoyment to that which only gratifies vanity, or ministers fresh fuel to the competitive spirit already so much too powerful. This it is which makes them subservient to other classes;—this it is which occasions the looking up, not to mental or moral qualities, but to station merely;—this it is which in almost every kind of exertion which they make, not only in their mode of living, not only in their business efforts, but even in their very charities,—still preserves that which we may call the aristocratic spirit, because it relates to the external gradations of humanity, but which is developed perhaps with more strength in the middle classes than in the class which is properly so designated. It is requisite for the best charity that it be graced by illustrious names,—names which have been often prepared simply as decoy ducks, with no expectation on the part of the managers that the sums standing against them should ever be realized for its purposes, but which are put down

that others may be put down from servile imitation ; and the whole transformed from the benevolence it pretends to be into the mere gratification of the pride of society, and the endeavour to produce a false barometer of persons' actual condition. This spreads a falseness over society which leads to the judging of results by appearances, or rather to the total disregard of realities in appearances ; and what can be more fatal ? It changes those who should be simple and honest in all their acts, who should be the sturdy and conscientious guardians of truth and goodness in all their diversities, into a set of earnest, striving, selfish competitors, each seeking to distance the other, and desperately running the race for a prize that is not worth the attainment.

So stands the account with the first of the peculiarities to which we have occasion to advert.

The next which I would bring forward is EDUCATION, as it is appreciated and carried into effect by the middle classes ; and this again offers an illustration of the remark that we have one cause, or rather that which comes under one denomination, actively influencing both to right and wrong, to good and evil. There is a general estimate of education as a valuable thing amongst the middle classes, and that estimate leads them right to a certain point, and from that point it leads them wrong. We do not now find amongst them any persons who are grossly ignorant ; we find none of so low a grade in the intellectual scale as we know were the barons and lordlings of the land some centuries back ; but yet we find a deficiency of many species of mental cultivation which are much to be desired. It would not be difficult for any one in the exercise of a little common sense to say what is the best education for the children of persons in the middle classes. If, apart from custom, prejudice, and passion, any man, the plainest and most comparatively uninstructed, were to turn his attention to

this point, I think the outline of a plan would present itself at once to his understanding. It is obvious that after the first rudiments and mere machinery of knowledge, such as reading and writing, it should be the earnest purpose and concern of a man in this class of life to acquire acquaintance with those practical sciences, the mixed sciences, in which the abstractions of mathematics, or the discoveries of chemistry, are brought into connexion with the affairs of common life; an acquaintance with them to such an extent as may be useful to him, nay, as I will venture to say is necessary for his reaping the whole advantage of his own future occupations. What pursuits in life are there,—in what occupation or business can a young man be trained,—with what portion of society engaged in their occupations can he come into contact,—in which there is not frequent use for the practical sciences, for mechanics, for chemistry, for mineralogy, and for various other departments of human knowledge coming under the same description as these do? These belong to the useful influence which he is to exercise in society, they belong to the good which he is to achieve for himself. How lamentable continually is the waste of time, and of money, and how absurd often has been the conduct of various parties, both of those producing, those distributing, and those sitting in judgment, on the complicated cases which arise out of these transactions, from disgraceful ignorance of sciences which ought to be as much a part of instruction as the very simplest rudiments of knowledge.

Next to this it is plainly obvious, that every young man growing up in a class which is now in possession of civil rights to a very great extent, should know something of history generally, and should especially be familiar with the history of his own country; that he should know what changes have been wrought by the policy that he will be called on to bear a hand in promoting or

opposing; that he should not enter into the public world, (for into the public world he must enter and in it live) altogether uninformed of the merits of the case on which he will have to exercise a direct and influential agency; that he should not be without those important lessons which are brought most home to the heart when we study them in the biographies of men of our own nation and language, living under the same government, and approaching towards the same period in the history of the world. Why surely, if religion operates, and operates powerfully and benignantly upon us, by the recorded histories and biographies of a people who have ceased to exist for eighteen centuries as an organized community, and whose manners and habits were in so many particulars at variance with our own; there must be much to be derived from the record of those with whom we have almost everything in common, and who have just preceded us on that stage of life where the evil or the good of their existence and exertions still remain to be counteracted or promoted.

In addition to these, every individual should be trained to a clear perception of moral principle, and an acquaintance with practical moral philosophy. He should be taught those elements of moral calculation by which alone he can arrive at a sure estimate of what is right and wrong; without which, precepts cease to be influential, from their vagueness, and the facility with which they may be adapted to different purposes; without which, conscience may err, so as to impel and applaud us in that which is really an offence against religion and morality.

And he should also be taught to cultivate the faculty of communication of his thoughts and feelings, by writing or by speaking. These are easily attained in youth, and should be amongst the acquisitions of every citizen of a free state; I might almost say of every member of ■

human community. Most lamentable is it to witness the success of many an imposture, the continuance of many a prejudice, the long abeyance of many a useful truth, the history of which would be reversed if the faculty of communication by speech and writing were as commonly possessed as human nature is capable of possessing it with but a little cultivation. It would be like teaching the dumb to speak : men would cease to be tongue-tied and mute in the presence of falsehood, knowing that their rebuke could put it down. Then, the literary productions which circulate most widely, and are most powerful ; the habit of speaking at those public meetings which have often so lively an influence on great multitudes : these would cease to be the monopoly of a little confined oligarchy, compared with the great bulk of the population. It was lamented of republican Athens, that she lived under an oligarchy of orators. Is it not nearly the same here ? Do we not find the same names from time to time, and place to place ; whilst there must be thousands of minds better informed on the points brought under discussion, and thousands of hearts animated by more correct and generous feelings than those which are brought into play by the few leaders, to which the many are thus content to look up. Every man should possess himself of the power not to be obliged to stand mute and quiescent in the presence of falsehood ; not to let truth and justice, right and honesty suffer, because he has not realized that which should be amongst the universal qualities of a human being.

Such is the course which I think common sense would indicate as to the education of a child of the middle classes. What is the real course ? Just, in the first place, the omission of all this, or nearly so (I speak of the common run of schools)—the negation of whatever is essential, and the substitution for it of whatever to that class is not only non-essential, but ■ mere incumbrance

got rid of as soon as possible afterwards. The youth is put to classical literature; he learns two words for one thing at least, in a few instances, his Latin vocabulary never becomes commensurate with any large extent of his English vocabulary) and he reads how shepherds were feigned by poets to talk in the time of the Emperor Augustus; he gazes on the phantasmagoria of divine or human transformations, as exhibited in those days of metamorphosis; and thus, is initiated into the faith which priests and statesmen were enabled to keep up by the boundless superstition of the people; but he has the picture without the moral, and only sees the fantasticalness of the machinery: or he imbibes a few notions of Roman history—generally incorrect ones—from the Romance which is contained in the earlier portion of Livy; notions, which, if he has any occasion to refer to in after life, he will find no more worthy of credence than were the “Arabian Nights,” or any other of the tales which amused his early childhood. And if, moreover, he is led into, or somehow or other gets through, the first four books of Euclid, and Algebra as far as quadratic equations, there his knowledge stops, without any practical acquaintance with science or its application to the business of life, and without any such foundation as can empower him to proceed and render what he has acquired of the slightest possible benefit to himself, or to any fellow-creature in the world. This is the case of the boys; whilst the time of the girls, which should be occupied in a course not very dissimilar, is mainly devoted to hard labour upon the pianoforte, and to wielding a pencil, producing perhaps nothing except some copies which mamma, in her vanity, puts forth as originals. And is not all this most deplorable? I am not depreciating any one of these things as a part of education. Wherever there is the aptitude for the acquisition of language, ancient or

modern, let such acquisition be made, let the power be cultivated; it is a blessed power for the individual and for humanity; it enables him to bring together the past and the present, the near and the remote; it qualifies him to minister to others with a power which approaches to something like universal knowledge of men and of men's concerns. Where there is a taste for the sciences, the abstrusest sciences, by all means let it be cherished, and turned to such account as that the individual may become a decipherer of the heavens above, or may tell from the indications below the earth's surface its history through past ages, or may form those combinations which, by their affinity with practical inventions, lead mankind onwards another step in the great march of improvement and of command over the physical elements of nature. Where there is a taste for the combination of harmonious sounds, or for the realization by pencil or by palette of whatever is beautiful in nature, there let it be cherished, until they too can minister to enjoyment with all the powers which belongs to their influence over the human constitution, and which ever must belong to those influences whilst the human frame is connected together by the fine tissues of the nervous system and of the brain, and is not merely built up of rough hewn stones, or mere bricks and mortar, bound in with cables, or iron grapling. But these are not common qualities or tendencies; and to attempt to raise them by indiscriminate cultivation is altogether a waste of the precious years of youth, and an abuse of the solemn responsibility of parents. How much of this do we perceive. The appreciation which the middle classes have of education, and which leads them to endeavour to procure something of it for their children generally, does not lead them to the further point of seeing where that education is useful and where it becomes worthless, or perhaps, by that very worthlessness, pernicious. It is in consequence of this that we see such institutions as the

London University dragging on a poor and feeble being, when it might have been expected that the ranks of its classes would have been filled with thousands where there are now scarcely hundreds ; and that those who had left the introductory tuition of the school would, in harmony with their occupations in shop or counting-house, be carrying on the enlargement of their minds, and the formation of their characters. It is owing to this culpable indifference, or want of appreciation of valuable instruction, that the selection of schools is so much an affair of chance. It is impossible to ascertain how or why this school is preferred to that school ; and profounder mysteries in the attempted rationale of this practical matter, than any in theology, have often presented themselves to my observation. Sometimes it seems to be a sort of barter, as if it were merely one of the sub-divisions of the trading occupation by which the individual realizes the means of his subsistence ; and the teacher exchanges with the cheesemonger so many hundred-weight of cheese for the learning which is to be digested by his boy, or so many firkins of butter are put as a counterpoise to the graces and softness which are to be conferred upon the daughter. The claim of connexion, of neighbourhood, of acquaintance, of unintelligent recommendation, is quite as reasonable as the appointment of supreme legislative and judicial authorities by the accident of birth, and making a man a sovereign judge because his grandfather won a battle. Without any knowledge, in reality without the capacity of the parents themselves judging of it, a child is often sent to a school because some one knows some one who had a child sent there, and who is said to have turned out very well afterwards. Often the selection is worse than this, and made on the ground of station. It is a school frequented by those who have more wealth, or who live in a more costly way than the parent ; he wishes to draw closer

his bands of connexion with those who are above him ; he would by all means shun a school at which the children, whatever their dispositions or mental characters, were the offspring of those who are in a lower grade than himself ; and thus incalculable mischief, and that of the worst description, is often done where he dreams he is conferring a benefit. Every one who has observed with any attention the fortunes of schools, must know that the qualities which are crowned with success are often the very last qualities which deserve to be successful in such a pursuit ; or that could be so, if clear-sightedness and moral principle actuated those by whom success or failure is decided. Many a man sets up a classical school who cannot himself construe a classical sentence, except some trite quotation which he has prepared for the purpose of display ; but he cultivates connexion ; he has good friends amongst those who have wealth and children, or who have influence with those who have wealth and children. He courts them by the appearance of his establishment, by what is called its superiority,—that is to say, by its greater finery, its defect in that very quality of simplicity which ought to characterize the circumstances by which a child is surrounded ; he advertises frequently and thoroughly ; he has great names for references,—names of those who know little indeed of him, but who very good naturedly give that which costs them nothing, though it may cost others eventually a heavy tax upon their mental and their moral condition. Then he relies on habits of sycophancy towards the parents ; theirs is indeed a wisdom which he would not think of disputing, and their directions he is most solicitous and happy to carry into effect. He ministers to their vanity ; and delighted are they with his annual celebrations, where there are well-drilled spoutings, and coloured maps, and touched-up productions, to be exhibited as wonders wrought by the most precocious geniuses who are under

his care ; and these are flavoured with ices and dances for the senior brothers and sisters, and whist for their fathers, mothers, and aunts. Such is often the triumphantly successful school-keeper ; whilst those who possess the highest attainments, and the best methods of communication, which qualities because they come into contact with the wishes of the parent, interfere with his misplaced indulgence, and baulk his vanity, are too often left unregarded and unaided, and have only the reward of their own conscience, with here and there a pupil, just enough to continue them in their occupation and in their subsistence, but who gratefully bless their memories for many a year after their decease.

There is need that the middle classes should pay better attention to this subject than they have yet done, so that something like the order of merit should be traced in the popularity and success of schools. And most desirable is it, that there should arise amongst them that better feeling towards national education, which can alone bring the country forward in the art of education, and realize the largest amount of utility. But it is in the middle classes that the great prejudice has to be overcome against what alone can satisfy the people's wants, and realize the highest extent of national wisdom, morality, and religion,—I mean a consistent system of national education, in which there might be all reasonable power in the appointment of masters confided to the parents of any particular locality ; and in which there should be ample provision for securing their competency and their responsibility ; but also, in which there should not be so much left to mere chance, to individual peculiarity, to individual ignorance, as there is now ; but something like a safeguard, that the rising generation, the representatives to us of future generations, should be trained to know their rights, their duties, and their interests.

The third point to which I would turn your attention,

and of which I have to repeat that it operates both for good and for evil—for good in some particulars, or to some extent, for evil in other particulars, and beyond a certain point—is religion. Religion is the characteristic of the middle classes; and I believe that there is amongst them, not absolutely, which would be saying little, but in proportion to their numbers, a much larger quantity of religion to be found, than in the upper or the lower classes. It is there that we meet with simple, honest, and devoted minds; with men who love God and their neighbour; who are striving anxiously and perseveringly to do their duty to all with whom they are connected; who keep themselves clear of personal vice, and who adorn their characters with personal virtues; men who put to their consciences the question, “who is my neighbour,” and answer it upon no narrow principles; men who have learnt the great and essential lesson, that what God requires of us is to do justly, to love mercy, and to walk humbly before Him.

So much for the good. We have to delineate also a large amount of mischief. There is mischief in the permanency of the religious forms, both of church and dissenting worship. They are alike invariable, not only from Sunday to Sunday, but from generation to generation. That which should be the expression of feeling, descends into mere verbiage, and the attendance in a place of worship becomes rather a mere bodily than a mental presence. The evil of formality is by no means confined to the changeless printed prayers of the church, but obtains with dissenting places of worship, where there is almost as rigid an adherence to form as there is in the establishment; where, although innovations may be allowed in some particulars,—as in the expressions made use of, in which the minister has his option; yet, where a certain number of prayers, introduced in a certain

way, a sermon with a text at the head of it, and so on—where all these must come in, in their course, or else there is an instant alarm, as if all religion were to be exploded, and infidelity was about to overflow the temple of the Lord. Now, all this is degrading to religion, and therefore is degrading to the class which takes this for religion; and which, coming to rest in mere external forms of devotion, not only loses the spirit, but is influenced by an opposite spirit, of formality, and sometimes hypocrisy.

Then, again, the religion of the middle classes often tends to the multiplication of those distinctions which are already so far too numerous. It presents another instance of our eternal propensity to classification; the banding of men together in little knots and parties, and an assumed superiority which enables the one to look down upon the other. The Churchman regards the Dissenter as if he were of a lower species. The mere existence of the distinction between established and tolerated religion, is the creation of a spiritual aristocracy in the laity as well as the priesthood. The Dissenters of different classes have all some contrivance which produces a similar effect. There is the Evangelical party, the regenerate, who have the Spirit of God while it is withheld from others; whose seeming sins are really consistent with a state of grace, while others are but practising splendid vices in what appear to be their virtues. In, and yet above, these is the Antinomian, redeemed before the creation of the world, not only from the Law's curse, but from its obligations; whilst the Rationalists incessantly, but without carrying out the proposition into its great results of thought and of feeling, repeating, "There is one God, and one Mediator between God and man, the man Christ Jesus," seem to think that this repetition is sufficient warrant for looking down on others as comparatively unenlightened, as wandering in superstition, and as victims to a blindness which it will

be the happy lot of their successors in some future age of the world to put to flight.

Another source of mischief is the connexion of religion with the craving after petty power. Power is always corrupting, corrupting in any form, and in any degree, and ever needing checks; but the abuses of power on a great scale, though they may be more deadly, are scarcely more disgusting than the thirst for, and the abuse of, power on the small and petty scale in which the sectarian condition of religion in this country allows it to be desired and exercised. For most established or dissenting churches are an arena in which there is often a competition for the little power that is to be exercised, as fervent as the desire after that which is obtained in the grandest national struggles. Parochial churches have their churchwardenships and other offices connected with parish affairs, of such honour or emolument as to make them the object of intense cupidity to many individuals, and often to put to flight the peace of the locality, and fill it for a long time with a bitter party spirit. And in dissenting communities there is yet more, infinitely more, of this. Almost every form of petty tyranny has been practised in what are called dissenting churches; the very entrance into the society is a bowing the head beneath a yoke; and the majority of those who are already members impose a summary of faith and practice to which every one who seeks to attach himself to them must conform; aye, and often promise to it his continued conformity, his determination to walk therein as long as he shall live. Then the mutual tyranny that is exercised under the pretence of church discipline, continually bringing a man under examination and censure for the most trifling concerns, and for concerns in which no one has a right to interfere with any other, which has obtained in all denominations where this church discipline has been established: been issuing its

fulminations at the cut of a coat, there at the colour of a ribbon; and so descending to minute particulars in the exercise of this grinding authority, that some present could tell of a church in this metropolis where a man has been lectured till the tears rolled down his cheeks on the sinfulness of taking two spoonsful of sugar with one plate of gooseberry tart. And while this mutual tyranny has been exercised over each other, the minister offers a mark for the vexatious power of all to exercise upon, in a large proportion of dissenting congregations. There is no positive or negative, in the whole round of human actions, for which his ministerial or personal conduct may not be, and has not been, called to account—and that, such is the nature of a power connected with boundless diversity of taste and opinion, in the most opposite ways,—so that the impossibility of even a peaceful submission to it was no little aggravation of its vexatiousness. For a sermon too long, or too short,—too oratorical, or too dry; and for particulars, the enumeration of which would be as absurd as it is disgusting, are individuals of this class, especially in small congregations in the country, kept in a continual worry, from which the only place of rest is the grave to which they at length are borne. There is much interesting matter on this subject, in a work called the “Autobiography of a Dissenting Minister;” a work which has been most vigorously cried down, as the writer predicted it would be, because it was known, not to be false, but to be true; the very truth of it—the searching truth of it—being that which excited against it the animosity of parties who endeavoured with all their might to stamp it with opprobrium. I believe the descriptions of that book not only to be substantially correct, but to be very much below what might have been depicted with more extensive observation than the writer seems to have possessed.

And what is the foundation of the power which is exer-

cised by the select bodies calling themselves "churches," or by the larger bodies termed congregations? There is, I think, little proportion between the ground of it and the extent of it. A man pays his few shillings a year, or a pound perhaps, for his own personal accommodation, having for this, what of course he regards, as he pays for it, good, religious and moral instruction, from year's end to year's end. To even opulent dissenters the minister seldom costs more, or so much, as his shoeblack; and yet not only does he obtain the instruction which is thus paid for, but, according to the custom of dissenting congregations, there arises out of this transaction an extraordinary, and not very justly derived, authority;—in consequence of this very small purchase-money, already repaid by the instruction, these people become at once the disposers of a building, which was not raised by their subscriptions, and of endowments which are not the accumulation of their funds. They exercise a right of appointment; they exercise a power of dismissal; they exercise a paramount control, and that with no responsibility whatever. They may plunge the place into debt by expenditure upon it to any amount whatever, and then quietly take themselves off, leaving others to extricate themselves from the embarrassment as best they may. This seems to me an exercise of power altogether without any basis in reason. I am not apologizing for anything which can be called priestcraft. I see no occasion—I think it is a great evil—that there should be a class of men so broadly marked out as the priest has ever been marked out from his fellow-creatures: but I say that if congregations are to be regarded simply as voluntary societies, constituted by such payments, they exercise a most unwarrantable extent of power in consequence of their payments; or that if—and this is a more rational view of the case—or that if chapels and pulpits are to be regarded as public trusts

for the keeping up moral and religious instruction, by giving to qualified persons an opportunity of explaining their views to the community at large, this is one of the most cumbrous, one of the most inefficient, and one of the most troublesome modes by which such trusts can be carried into execution ; and I say, that, with every responsibility which the most determined friend of responsibility can demand—and amongst such I class myself—with every responsibility on the part of the teacher, there might be many other modes adopted for facilitating a wholesome influence on public opinion and on the public character, which should be liable to no such exception. Mental independence may be asserted anywhere ; and in large towns, where the secession of individuals is comparatively unimportant, the dissenting minister may probably be in fault if it is forfeited. The power which puts him under the temptation, is not the less pernicious to its possessors. They sometimes meet their appropriate punishment in the reaction upon their own minds of that which they have broken down and degraded.

The temporalities connected with religion, both in the church and out of it, are amongst the corrupting influences over the minds of the middle classes. Questions of property, and even of precedence, are frequently occurring ; the latter especially between the two classes of priests, the priests created by the people in their several congregations, and those appointed by the state. O, manifold are the questions of etiquette which from time to time have arisen between what the law discriminates as holy orders, and pretended holy orders ; and great the tenacity of the latter ; as might be instanced in the right which is possessed by some classes of dissenters of occasionally going up to court ; the manner in which they are to be received ; the almost canonization which one of their number received, even from those of

the most opposite religious opinions from his own, for having, by his presence of mind and extempore appeal on one occasion, vindicated the most important and precious right of kissing hands on the presentation of a congratulatory address. And this spirit descends into a lower sphere. How continually has the controversy arisen between the clergyman and the dissenting minister about precedence at a funeral, the clergyman stoutly maintaining his sole prerogative to walk before the corpse, and the dissenting minister insisting on advancing with him side by side. To such an extent has this been carried, that in a large manufacturing town a clergyman and a presbyterian minister happened to be together on one of these occasions, and the usual contest arose; the clergyman was tenacious, the presbyterian equally so; the funeral set forth; the clergyman quickened his pace; the presbyterian quickened his, not less vigorously; the strides became quicker and longer, they broke into the *pas de charge*, and at last these ministers of religion fairly ran a race to the side of the grave, in which it is a pity but that the pretensions of both had been for ever buried.

So the discussions about endowments, and in connexion therewith on points of faith, which have been brought into our courts of law; the enormous revenues realized by various societies; the kind of administration exercised over those societies; all these continual temporalities, even of dissenting religion, exercise a most blighting, a most desecrating influence on the middle class, producing a vulgar secularization of their religion. Individuals are continually rising into great religious importance and character amongst their cotemporaries, by cleverness, and legal tact, or cunning, in theological concerns, rather than by any religious or moral qualities. And this secularization of their religion has often perverted the political conduct of dissenters. I believe that the large

colonial connexions of the different missionary societies very materially strengthened the hands of a succession of rulers of this country, who were little entitled to, and did not always possess, public confidence. I know that motives drawn from this source have been urged in order to direct the conduct of persons so connected. "We must not do this or we shall affront the king, and what will then become of facilities for the location of missionaries?" was the appeal made by an officer in one of the leading societies, in order to prevent a demonstration in favour of a persecuted individual who was obnoxious to royalty.

The frequent direction of great political power to such questions as the observance of the Sabbath, is to be lamented. It arises directly out of a sectarian feeling, and the formality of religion. And great and good as was the abolition of negro slavery, I apprehend there was a disproportionate manifestation of zeal for the object as compared with other objects. It is truly a glorious thing for a country to have freed eight hundred thousand individuals in the West Indies from slavery; but if a tithe of the effort which was put forth for that object had been directed towards bettering the condition and securing the liberties, bringing into a state of more peace and enjoyment amongst themselves, and one more profitable to us, of eight millions no further off than Ireland, I believe that before the other was accomplished a far greater good would have been realized by much less exertion. But, except for its connexion with religion, this belongs to the next point, which is, the **POLITICS** of the middle classes. They are, as I have said, the most responsible class. They now possess the command of the country—of its internal measures, of its foreign relations; and well will it be if they exercise their influence in a nobler way than in time past. For look through that succession of bloody wars, originating in the desire to crush the

rising liberties of France, and extending its devastations over all Europe, and even to remoter regions : could that possibly have continued if the middle classes had interposed with the strong check of opinion ? I know that they had not then the possession of the power which they have now, since the passing of the Reform Bill ; but they certainly had enough to stop those continued and repeated scenes of blood and desolation. Instead of that, they were themselves infected with the panic of the aristocracy ; they, too, were in alarm lest the world should be turned upside down. And they were not only infected with the fears, but also corrupted with the corruptions of the higher class ; there were loan jobbings, and contracts, and other pecuniary advantages arising out of a state of war, which kept down the feeling of what a state of war is, how tremendous in the misery it produces, and in the demoralization which it spreads over the face of the world :—they were too long quiescent ; they too largely shared in the principles and feelings which made this country characterized as a warlike people. And especially was this the case with many belonging to the higher mercantile classes, who rejoiced in reaping their own harvest of gain, although it had been manured with the blood of thousands of their fellow-creatures and fellow-countrymen. O, there are ears which yet ring in pained recollection of the cheering, the loud, exulting *cheering for war* which was raised on the Stock Exchange of this metropolis when the peace of Amiens was violated in 1802. In all this there is a load of mischief to be atoned for which should make these classes alive to the great political influence they can wield, and teach them the lesson which they are so backward to learn. of moving by their own independent honest feelings—for it has ever been their disposition to look to the higher classes to lead them. This it was which kept them so long debarred from their rights. The merits of the question

of parliamentary reform were before the public, and were exciting the public feeling, forty years ago and more. But the aristocracy relinquished it; the middle classes followed them; they abandoned all discussion, all thought about it, all feeling upon it, to a few speculative and writing men, and to the operative and lower classes. By these classes alone was the subject kept alive, and for a succession of years all the persecution endured which could be inflicted by an often despotic authority, until aristocracy again gave the signal; and then the middle classes, awaking from their long continued trance, seemed to feel as if they had made a discovery of what others had known all along: and in the strength which they put forth, I must say they did achieve a victory which could not otherwise have been accomplished.

It is, however, mostly in matters of national concern that there is this waiting upon the providence of greatness; in what comes peculiarly home to the interest of the class, or even its petty subdivisions, there is an agitation set up, and an energy exerted, which might easily accomplish the most beneficent and glorious results for the entire community. The timber question endangered the existence of the reform administration; and the repeal of the house-tax took the lead of a question which it ought to make every man concerned ashamed of himself that it was not postponed to—that of the taxation upon knowledge. And wherever there is protection to be sought, that is, the right of taxing the community for the benefit of a class; or where there is deliverance to be obtained from an impost by shifting it upon the shoulders of others, a power has always been put forth, scarcely to be resisted by any government whatever.

I must hasten to the conclusion of these remarks, which my strength will not allow me to protract, so as to exhaust what is occurring even at the present moment

to my mind. I will only add, therefore, that the morality of the middle classes is eminently THE MORALITY OF OPINION. REPUTATION has its peculiar dominion amongst them, and this, like the rest, is a power both for good and for evil. There is more appreciation of character, there is a higher estimate of the worth of other people's opinion of our character here, than is to be found amongst those who are above or those who are below. Men may be said to live by their characters in the middle classes of society; some sort of reputation is essential to their reaping the profits of their capital, and to success in their occupations. The bonds of mutual dependence bring the force of opinion home to them, and they are by no means slothful to cultivate it, or to prize it at its full, or more than its fullest worth. There is thus much good done; there is an avoidance at least of all the grosser vices, there is the practice at least of the most obvious elementary virtues; there is general attention to what is externally good, and avoidance of what is externally evil. But with this good, how many drawbacks. The idolizing of reputation produces much of external piety, but little or nothing of internal purity; nay, it often acts in a different way, and seems to accumulate the grossness of thought and feeling by the very restrictions which it imposes on the exterior manifestation. Much is thus realized of habit, of mere external habit and appearance, but comparatively little of principle, of that enlightened principle which is the only sure basis of morality, which is the only spring and source of goodness. There is little fineness of feeling, delicacy of the moral sense, if we may so call it, cultivated by this class; its morality is blended with a good deal of intolerance, and with many of those petty hypocrisies which the spirit of sectarianism has not failed to realize in the religious world. The great question is, what will others think, not what is in itself

truly good or beautiful, or in itself despicable, debasing or pestilential. This is a state most unfavourable to worth of character; there can be none of the higher virtues, there can be none of the finer qualities, in the character which is imbued with such purposes and formed under such influence. There must be a rising above these considerations to achieve anything which shall command the homage of our hearts, and which shall beam on our minds like a reflection from the moral image of God. "What will Mrs. Grundy say?" is often a far more potent question than "What is the voice of God speaking in man's own soul and conscience?"

So diversified in its colours,—so blending, mingling, and shifting, in the lights and shades that have been thrown over it,—here so dark, and there so bright,—is the moral condition of that great class which forms the subject of this lecture. But in this instance, as on a former occasion, there is abundant reason for adopting, in conclusion, the language of gratulation and of hope, of strong hope for futurity. For with all their faults and failings, it must not be forgotten, and this fact is the last point to which I shall now direct your attention, that the HISTORY OF THE MIDDLE CLASSES is the history of the advance of FREEDOM AND OF CIVILIZATION.

It is a shallow feeling that idealizes the age of chivalry. The preference of certain poets and writers of fiction for what seemed cheap materials to produce striking effects, has been by far too readily acquiesced in by those who might have learnt that their own annals furnished a much nobler theme. The ignorant and tyrant baron,—the ferocious retainer, his unscrupulous follower to robbery, murder, or any sort of crime,—and the poor plundered peasant, the victim of all, as their need, or interest, or passion might dictate,—were prominent characters of scenes which have little in them of good or beauty,

save as they contained in them the seeds and elements of brighter scenes and times to come. Contemporaneously with them, there sojourned in the land those migratory companies of Brother Masons, who, in the middle ages, made their progress over Europe; and who have left us monuments, far more glorious, than any of baronial pride or grandeur, in our majestic and everlasting cathedrals. Then, too, were there various companies of different classes of manufacturers, artificers, and artisans, making good their settlements here and there, under the protection of royal prerogative; claiming and gaining exemptions from the domination and rapacity of the neighbouring lords of clans and castles; giving them, ere long, by the productions of their skill and industry, the taste for something better than the bleak walls of their turreted abodes and their rude feasts of slaughtered oxen roasted whole; forming their guilds and corporations, fences as these then were against a retrogression into slavery and barbarism; and presenting altogether the brightest spot in the whole moral survey of that age. They were the first heralds of coming improvement; the pioneers of refinement and civilization; the embryo of the future middle classes.

We behold their growing importance in the political concessions and arrangements which the ruling powers, at a period somewhat later, were compelled to make, or which they devised to gratify that common want of governments, a more efficient and productive taxation. It was found impossible to realize the pecuniary supplies that were desired merely by acts of royal authority, or even by the conjoined assistance of baronial power and priestly influence. The advancing wealth, intelligence, union, and spirit, of the burgesses occasioned, first, invitations to them to send their delegates to the great council of the nation. Rude and im-

perfect though the plan might be which was then adopted, it led to the formation of that house which, in after times, was designated as, and in future times shall yet more deserve the description of, the awful Commons of England. We owe this origin of whatever was most grand in the national character and history of subsequent periods; we owe this tremendous and beneficent change, which was the first step towards all political good; we owe this noblest of all human inventions for the purposes of society; we owe this germ of REPRESENTATIVE GOVERNMENT, the only government that is just and free, to the middle classes of the feudal times.

Behold their corporate towns, a shelter for the oppressed vassalage of baronial despotism! There, in spite of laws forbidding him to bind his children in apprenticeship to the citizens, whose immunities he would grow up to participate, the poor serf continually found an asylum for his offspring, which he would have been right glad to have made his own. A check, an immense check was given to the power of the aristocracy. Other events co-operated to the growing importance of the commonalty. The crusades had wasted the power of the nobility, and the wars of the rival Roses had thinned their number. Henry VII. could only summon twenty-eight peers to his first parliament; Henry VIII. only thirty-six. Increasing information was fast ripening the time for a reformation in religion; and, although that change as accomplished here, bore not the popular character which distinguished it in Scotland, yet was its practicability a testimony to the progress already made; and its reaction, a benignant power, to carry onwards in an accelerated career, the intelligence, the principle, the happiness, and the useful influence of the middle classes.

One royal and patent monopoly after another fell before their increasing industry, intelligence, and power; their

demand for labour freed the serfs,—although of this long process, the completion was only attained so late as the reign of George III.; when the collier labourers of Scotland, the last class of those who had once been generally attached to the soil, received its emancipation and joined its fellows, who, from being toiling slaves, became so far their own masters, as to make their bargains and receive their wages. Of this class is the growth of great cities, with all their manifold ministrings to knowledge, art, freedom, enjoyment, and improvement; and in proportion as municipal institutions, formerly their safeguard, degenerated into means of oppression or monopoly, they have caused new towns to spring up, abundant in wealth and numbers, and by their varied operations of trade, commerce, and manufactures, adding their testimony to the other indications of the national prosperity, of the ever active energy and progress of the middle classes.

Theirs have been the invention and the use of those great mechanical improvements and contrivances, which multiply the powers of human labour, change the face of a country, unite distant regions, and make the elements toil in the service of humanity. Of them have been the Arkwrights and Watts, and other kindred minds, with all the practical skill to which they gave its new impulse and direction; increasing the amount, and cheapening the price of the products of human industry, until they transform into the homely and common conveniences of the great majority, what, but a few generations since, were the peculiar luxuries of a few privileged individuals, even in the most wealthy and polished societies. And let the titled orders glory in their crests and the bearings of their shields,—the spinning jenny, the power-loom, and the steam-engine,—these are the nobler heraldry of the middle classes.

Of them, too, have been a host of diversified philanthropies, which in Sunday-schools, and in charity-schools of various descriptions, in humane institutions, the promotion of benefit societies, and other innumerable ways, have mitigated the sufferings of the poorer classes, and ameliorated their condition. A noble contemplation is the list of charities of this metropolis alone—one which presents stupendous results to the imagination, although it is to be regretted that the ignorance of charity has often made it aggravate the mischief it sought to counteract. Still in this way how much has been done! What a growing spirit of kind feeling has been manifested! How many symptoms, that a time is coming when there shall be an absorption of all classification in this one great body; for aristocracy is merely a feather, which its breath can puff away; pauperism is but a weight, that its strength can raise from the ground: and they both might, by the wise direction of its energies; they both will, for towards wisdom it does tend, however slowly, be one day absorbed within its comprehension, its then universal comprehension; and all distinction, and all classification merge, civilly, politically, morally, in one universal brotherhood.

I have endeavoured to pass this review before you as one in which you are deeply interested, as one with which your own moral condition must, in many points be in contact. And not only may the contemplation direct your self-investigation in points of individual and social duty, but also assist our feelings of devotion, and increase our admiration of HIS plans “who is wise in counsel and excellent in working.” For this social element combines, as we have seen, with all the others; combines with whatever is loftiest in station, and with whatever is lowest in condition—combines with whatever is grand in knowledge, and with whatever is useful

in human labour and exertion ; it combines with all the various materials and elements that, under the plan of providence, secure the advancement of society through its several stages of families, of civic communities, of nations, and of widest empires ; and inscribes upon every step, in characters which the eye of philosophy cannot fail to read—that progression is the law of humanity.

FINSBURY LECTURES.

REPORTS OF LECTURES DELIVERED AT THE
CHAPEL IN SOUTH PLACE, FINSBURY,
BY W. J. FOX.

No. IV.

MILITARY MORALITY:

(THE FOURTH OF A COURSE ON "MORALITY AS MODIFIED BY THE
VARIOUS CLASSES INTO WHICH SOCIETY IS DIVIDED.")

LONDON:

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MDCCCXXXV.

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THE MORALITY OF THE MILITARY PROFESSION.

ALMOST all children like to play at soldiers ; it is one of their earliest and most interesting sports : and the reason is obvious, there is no profession or occupation which makes so strong an appeal to the senses as does the military profession. The collection of numbers, the uniformity of their dress and its gay colours, the order of their arrangement, the flash and glitter of their arms, the waving of banners, the clang of music, and their measured movements, together with all the excitement of the mimic conflict,—these are well adapted to attract and fix the gaze of children, and of childish men and women. Even that most peculiar *metier* of all, that which neither allows of a partner nor takes an apprentice, the royal craft itself, —even this, (except at a coronation, or on some extraordinary occasions) shows itself to the common eye with no such glitter or impressiveness as does the avocation of the soldier; and on those occasions it is very much indebted to the aid of military pomp for the splendor with which it is invested in the eyes of the multitude.

In most things which impress us in the way of spectacle there is a very large admixture of mental association, very much larger than in the present case. The sight of a court of justice, impressive as it is to those who witness it for the first time, yet owes much of the effect to their own minds ; for that effect would not be produced by the somewhat grotesque paraphernalia in which we array

those who are appointed to execute the laws, and to sit in judgment on men's lives and property. So an assembly of legislators, however deep may be the feeling of respect or reverence which it inspires, whether its members be robed or unrobed, still acts on us by our own recollections, and is our own mental work ; we must become copartners to make it a show which is worth the gazing at.

Very different indeed is the case of the soldier ; his effect is produced at once ; and the child imbibes feelings which are too often encouraged, first by the nurse and the mother, and afterwards by the language of those who partake of an admiration of military glory which has descended from generation to generation, alike bewildering every generation and misleading it ; by the common and popular feeling which has so often been manifested ; by the language of newspapers ; by writers of different descriptions,—poets, historians, divines even ; who seem all to have done their utmost to aid in deepening the effect which is so easily and so generally produced on the senses of the young.

The impression, however, like the cause which produced it, is but a superficial one. In the different Lectures which I have delivered, I have endeavoured to direct your attention fairly, both to the favourable and the unfavourable circumstances that attend each particular avocation ; I shall do so in the present instance ; but I cannot disguise from you my own feeling, the result of the investigation which enables me to bring forward these considerations to your attention, that there is too much that is merely superficial in the good exhibited,—in the good produced,—and that deep indeed lies the evil which attends men's engaging in any such avocation as that of arms.

The first good which I shall enumerate as connected with the military profession is, that it exhibits to us the

most obvious and extensive species of co-operation,—of human combination—that is brought under our notice. How complete it is; how much must it impress us to behold immense masses of men, with all their individual diversities and their individual desires, all brought to act with the precision of mechanical machinery; to behold all this mighty mass of human power directed by one will,—all moving throughout the various complications of the manœuvres of different operations,—all moving towards one common, defined result. I say nothing of the means by which it is realized; it is very possible that those means may be so evil as to completely overbalance the good which arises from this exhibition of such a lesson; but still there is a good to be overbalanced; there is shown, there is demonstrated, the practicability of bringing men into a state of social combination, which is a lesson that ought not to be thrown away upon us. When we consider the immense difficulties which beset the formation of almost every combination of human power; when we see how long a time it takes to persuade men to pursue their most obvious interests, by combining for the purposes either of production or expenditure; the difficulty which attends their uniting for the purpose of common amusement, and bringing them to a requisite degree of coincidence of will to effect that which shall minister to the enjoyment of a great number; the yet more arduous difficulty which besets him, who, for some extensive and philanthropic purpose, would embody men's energies, call forth their pecuniary donations, and bid them to devote to it some portion of their time and personal exertion; when we find how hard it is to rouse men to act together for the preservation of their dearest rights, and to avert from themselves the utmost degradation which can befall those who aspire to the name of free citizens and free men; we may be thankful to any occupation whatever which

sets before us, makes obvious to our senses, the practicability of combination on the most extensive scale,—the perfect identification of great masses of humanity for a common object.

Another good which I ascribe to the military profession is, that it shows us the physical education of humanity carried on more systematically, and with more evident result, than we can trace anywhere else. This is a species of training which is far too much neglected. In fact, parents seem seldom to dream that it is necessary, or at least desirable, that the body should be educated as well as the mind. There is a valuable little book called “Exercises for the Senses,” lately brought out by the Society for the Diffusion of Useful Knowledge, which every teacher of early youth,—which every mother,—which every governess,—or perhaps one must often say, every nurse-maid, standing in the place of both, would do well to study, and endeavour to realize its lessons and directions. From a very early period the senses should be trained,—the frame should be trained, that man may grow up in the proper development of his physical powers, and not show in this particular an inferiority to the savage state, where freedom of movement and hardy training accomplish that which is too often to be desiderated, because neglected, by those who live in a state of civilization and high refinement.

But in the army, although, except in the case of those who are educated to command, early education is not practised, still, even with the disadvantage of beginning at a very late period, how much is done towards giving all the powers of the human frame the perfection of which they are capable. A correct eye,—a quick and steady hand,—the capability of enduring continued privation, hunger, thirst, and fatigue,—the facility for snatching sleep at whatever time of day or of night the avocations

in which the individual is engaged may allow,—the full development of strength and of agility; these are attributes which military training does much towards realizing, on account, it may be, of their necessity in the operations of war, but which are in themselves good, which minister to human power, to human happiness; which very often connect themselves with the facility of the mind in its operations, which act upon the temper and the general state of feeling and of sensation, which thus connect themselves with morals also, and which there is no reason but what men in every department of life should realize on account of these advantages, as well as in that occupation where such training is matter of necessity for its peculiar purposes.

A third good is the patience and endurance which a military man, especially in protracted warfare, is enabled to acquire. That degree of self-command,—that ability of restraining the most craving sensations,—that mental and moral patience, as well as what is merely physical,—that bearing with repeated disappointments, with purposes broken off, and with wishes crossed, as to the various movements that he is obliged to take,—that confidence in those of superior skill which he must exercise, unless his mind is to be torn by apprehension and bewilderment at every step of his progress; all these are qualities of mind that minister to the stability of character, all these are qualities which associate themselves with moral attributes, and may even be made subservient to a high degree of moral excellence.

And, as a further good, I would mention the promptness of apprehension, of decision, of action, which belongs to the military man, and which distinguishes his avocation. He must often be in positions in which hesitation is instant destruction; he must learn the lesson, the useful lesson, of perceiving at once the various considera-

tions that bear on a particular point, of estimating their force and striking the balance, and of immediately throwing himself into action on that balance with an unhesitatingness that is the surest promise of his success. And these are not more the qualities of military than of civil life; these are not more the attributes of men in the fierce conflicts of war than they are of men engaged in the conflicts of opinion; or the ceaseless strife of pecuniary concerns and of business; these are qualities which there is occasion for everywhere, at all times, and under all circumstances; and which give effect both to our efforts for usefulness in society, and for the formation to excellence of our own characters.

Further, we admire in the records of military adventure that sudden transition, of which there are so many instances on record, from the fury of the most hot-blooded conflict to feelings and actions of mercy and of generosity. Men are engaged in a strife which threatens instant destruction, in which the shedding each other's blood is the object of every movement of their frames, and every thought of their minds; and yet, let the struggle be over, and in an instant you shall see the one, not only sparing the other when entirely in his power, but perhaps even perilling his own life to save that other's life; a circumstance of familiar occurrence in our naval conflicts. Now this, I say, is good and beautiful: it shows the grandeur—it shows the gentleness of humanity. This immediate transition—this strong power of revulsion, by which one passion is displaced, ceasing any longer to be appropriate, by a passion of an opposite description,—is monition to us of the way in which our feelings should accommodate themselves to the change of external circumstances, and be ready, whenever we are placed in a situation which is contrasted, however boldly, with that by which it was preceded, to make our feelings as full and

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as strong in that direction as if they had, for past hours, days, and weeks, been wearing a channel for their tide to rush onwards in.

We also admire in military life the instances of devotedness which not unfrequently occur. There is something altogether in the profession which gives us the sensation of its being less sordid than many other pursuits. It contemplates much less than almost all others do, the mere amassing together of wealth. There is something which, whether truly or falsely, gives us the impression of a more fine and lofty purpose: and eminently must we feel this in instances where life is sacrificed—sacrificed not merely with a chance, but with something like a distinct foreknowledge, of the result; where we see men rushing onwards towards the breach, in which they have every reason to believe that they shall leave their own bodies for their comrades to pass over to the more successful attack; or, as happened at the commencement of the last war, when a vessel goes down, its entire crew refusing quarter, and reiterating their shouts as they descend into the mighty tomb prepared for them. These are illustrations of human grandeur to which it becomes us to do reverence.

These, however, do not constitute an entire view, these are but a very superficial exhibition of the profession itself. I must now proceed to show you the evil; nor would I disguise from you first my deep conviction that this profession, whatever the excellence of many individuals connected with it, is one which ought not to exist as a profession; that however the use of arms may be justifiable, individually or nationally, for the purpose of self-defence, or even for striking a blow on more remote grounds to preclude the necessity of a less advantageous defence, still, whatever may be granted—whatever may be contended for, in these particulars, I do not apprehend that they make out any case for the existence of a pro-

fession, of an occupation, to which men are to devote themselves from their early years, and which is to be their business throughout their lives.

I commence my observations on this part of the subject by adverting to the species of education which the army requires. It is a fair test, I think, of any occupation whatever, to ask in what way must youth be trained for it; what is the particular species of discipline, what is the character of the succession of impressions to which they are to be subjected, in order to prepare them for well and efficiently embarking in it? If these be bad,—if these contain in themselves false principles,—if these lead to great and glaring perversions of morality,—I think we must infer from that fact alone that there is something wrong in the avocation itself; and that it is not one which it becomes those to sustain,—not merely to enter into it, but by their opinions to encourage in others,—who take for their great rule of all public and of all private actions, the promotion of man's greatest happiness, which can only be done by that morality which is the means of happiness.

Now I take my notion of the appropriate education for a military life, from what is probably the best authority in the language; I mean the “Essays on Professional Education” of the late Mr. Edgeworth: a man of large and liberal views; a man untainted with pedantry, or with sectarianism; who was at once a philosopher and a man of the world; whose observations, whose mental powers, and whose familiarity with both the theory and practice of education, entitle him to be received as an authority on this point beyond any other author with whom I am acquainted. In the two chapters on this subject in the work to which I have referred, he enters very much in detail into the early training of one destined for a military life; and it is to the earlier portions of it that I would direct your attention, because the mere scien-

tific and technical acquisitions of the youth, which belong to his art, have little to do with our present subject. What we have most to do with now is the work of the mother over her child, the early moral training by which she is to mould the individual who is afterwards to be consigned to his scientific and professional instructors.

I confess I was not prepared for the delineation which, in no spirit of censure, but, on the contrary, in one of laudation ; which, with calm and entire approval, he recommends for adoption in this case. He begins with directing that pride and shame, or rather the fear of shame, should be the great means of acting upon a child's mind. He is especially to be encouraged to think well of himself in whatever relates to personal prowess. His moral character is to be built up by the agency of these two principles—pride, and the fear of shame ; the worst principles I imagine that can be placed at the basis of the moral system. These are the principles which our professed moralists, which our divines, which the teachers of that peculiar mode of christianity that has been selected from the rest as worthy of endowment with the funds for national instruction, and of being guarded with the swords that are thus to be sharpened ; all agree in denouncing as the principle of heathen morality, and diametrically opposed to Christian morality. The one they tell us was founded on pride, the other rests altogether on humility. I think there is much more truth in their condemnation of the former than there often is in their exposition of the latter ; at any rate in that condemnation I cordially agree. The great evil of the world is, that men live too much in other men's eyes and thoughts ; that they place their own consciences in other men's bosoms ; that to *seem* rather than to *be*, and that to pile up something like a pyramid of honour, by whatever means, in the notions of their fellow creatures, is made so prominent with them as to

drown the whisperings of that small still voice which should yet be the most imperative voice, to which man bows his ear and his heart, and conforms his life.

This is to be followed by exciting the love of glory,—of that pestiferous glory which has been the curse of the world from age to age. And there can be no mistake about the species of glory which is meant. The example of the Swedish madman, Charles XII., is introduced with approval; his boyish admiration of that other (“Macedonia’s”) madman, is held up to view as an impression which it is desirable to repeat in the mind of the aspirant for military honours, as an excitement which it is desirable should be produced and reproduced. And with what effect can it be so produced but to bring like desolation on the earth, and like delight in the mere struggle and victory, without regard to anything else than the military fame with which they surround the brows of the individual!

Directions are then given that a different course is to be pursued with him from what is expedient for others, and that the reason and judgment are not so much to be cultivated as imagination and enthusiasm; that is to say, the fair proportion of man’s mental attributes is to be impaired, the teacher is deliberately to suffer one power to wither, and cherish another, till it may overshadow that with which it should only grow side by side in harmony, and by which it should ever be limited, and corrected, and kept in its proper position, in the operations of mind, and the development of character. There is to be deliberate twisting and twining of the human plant, that that which yields fruit, the fruit of knowledge and of permanent good, may remain comparatively withered, or at least an unbearing branch; while that which without such association will yield only gaudy and fruitless blossoms, is to be reared, and cherished, and stimulated to its utmost expansion and display.

He is to read books adapted to minister to his enthusiasm: he is to be familiarized with those old chroniclers, the sound of whose language peals like a trumpet on his ear, conveying to him, in the natural impression of their pages, that war is the great business of life, the only occupation that is worthy of man; "that there is no science but military science, and no virtue but martial courage;" and that, to distinguish himself in these, should be the first great aim and burning desire of his existence.

He is to read such poems (strangely are they classed together) as Scott's *Lay of the Last Minstrel*, that he may imbibe the chivalric spirit which is there portrayed; and those poems of old Homer, whose deep and abiding worth for the fine delineation of character—for lessons of poetical and philosophic wisdom which are so thickly strown—for analyses of the motives and actions of men, showing, in circumstances so totally unlike our own, the varied attributes of our nature faithfully delineated according to those different circumstances—and for all the beauties with which he crowns his great work as it were his own Olympus with its circlet of gods—are to be comparatively disregarded, that thence the boy may derive, as Alexander was said to derive, a martial taste and enthusiasm; so that what is the poorest and vulgarest part of those immortal works, is to be to him the great mental nourishment thence to be extracted,—that on which he is to feed,—that in the strength of which he is to grow up, not rich in the treasures of ancient lore, but glittering with whatever was like tinsel in ancient lore,—and imbibing what was least beneficial, or deserving to be kept alive by humanity from generation to generation.

So with our own Shakespear; not the riches, not the everlasting and boundless riches of the mind of that wonderful man, are to be placed before him for his homage, and for his imbibing the humanities which they inculcate; but he is to read and witness the exhibition

of his dramas for the sake of such characters as those of Henry V., Hotspur, Owen Glendower, and Coriolanus; these are to be held up to him as models, and the perversion of the great poet of antiquity is to be repeated on the great poet of modern times, the great poet of all times, and of human nature, but who is only to furnish him with the dispositions that tend to crush and desolate human nature.

The love of country is to be instilled into him "as a prejudice," the form in which the love of country becomes most exceptionable, the form in which the love of country was not recognised by Christianity, and cannot be recognised by any sound public or private morality. As a mere prejudice, patriotism is ever a dangerous principle; it requires the enlightenment, it requires the philanthropy, of an expanded mind, in order to elevate it into the rank of virtues, and make it a source of useful instead of pernicious power.

At a more advanced period, he is to have the lesson of aristocracy graven on his mind. He is at least to learn, that his avocation is that of a gentleman; that it connects itself with the order of rank in society,—without any regard to the utility of that order, but looking at it as an arrangement according to what may be almost presumed a difference of species. He is also to be exhorted to distinguish himself by his talents; and told that "mere bravery can be had for a shilling a day"—thus encouraging him to look disdainfully upon, and regard as tools, those whom he is to lead in the tented field, and in the bloody field; to regard them as material, which may be used or wasted in the campaign, so that it may be said, as it has been said, "I have spent so many men in this affair."

And his religion is to be in harmony with all the rest; it is to be a religion which encourages him to do his duty,—that is to say, as he will chiefly understand, his military

duty. It is not to be a punctilious religion. His belief is to be firm in his mind, but not attended with particularities in his practice, which would ill comport with the circumstances in which he may be placed: thus bending even "the powers of the world to come" to the ambition of this world, and to the perversion of this world's good; and making the holiest of all influences a subordinate agency for the production of such a soldier as society thinks it needs, and as the individual aspires to become.

Into what can grow the boy thus trained? What conformity with that morality which alone deserves the name, can we anticipate from the repetition of lessons such as these, and their sinking into his heart? The incongruity appears to me so manifest, so glaring,—the utter incompatibility of the character thus created with anything which deserves the name of useful, good, or Christian, that I should think this alone was enough to decide the question. And be it remembered, that this is not an exhibition of imperfect practice; not a training adopted by some blundering teacher, who has never reasoned or philosophised on the matter, and who is looking only to the immediate result to be produced; but a theory of military training,—an ideal of the youthful military character, as delineated by a philosophical and enlightened writer. And this is to be realised by the agency of the mother! *She* is to endeavour to make pride the basis of *her* child's virtue, if he has any; *she* is to train him by shame, and by the fear of shame,—the most degraded, crippling, and debasing, of all influences that can be applied to the young heart; *she* is to breathe the insane thirst of military glory into his bosom; *she* is to lead him to the study of writers calculated to inflame his imagination, but not to strengthen his judgment; and by *her* ministering his religion is to be bereft of its office as an angel of light and goodness,—pointing

with its olive branch from this world to one of holy thoughts, beneficial occupations and exertions, and a lasting happiness that consists in love;—and reduced to the vulgar form of a sign-board Fame, with its brazen trumpet and gilded laurel.

Yes, this is to be done by the mother; and it is expected by philosophers—it is expected by statesmen—it is expected by legislators—it is expected by divines, that woman is thus to pervert her influence over her own child; and thus prepare those who are judged necessary for the defence of a state, or for maintaining “the balance of power in Europe;” or the ascendancy of the old world over the new world. O maternity!—maternity, that beautiful link which connects one generation with another, forming a golden chain, which prevents all abrupt transition like that of waves that break for other waves to swell, or of stars that rise in their order, parted into their distinct constellations; and entwines together the following ages of the world, spreading unity and harmony over them, and making humanity one throughout its long succession! Maternity, that holy power, which, if its influence be rightly described as amounting to almost an omnipotence upon earth, the omnipotence of love, is attended with all the deeper responsibility, and should be directed to results commensurate with such magnificent descriptions,—moral creations that shall crown the individual with true glory, and diffuse blessings all around upon society! Maternity, that gentle influence, which, while it trains female youth in a strength of mind often to be desiderated, and gives to whatever is lovely and graceful a power that shall render the influence of such qualities ever propitious to man’s advancement in knowledge and in goodness, should also infuse its own kindness into the rougher sex,—guide the boy, not only to strong thought and active exertion, but to gentleness, that he may blend

together attributes often thought incompatible, but which may really reach, and all arrive at, their highest point of excellence in one character, and be then most lovely! Maternity, which should ever be a fraternizing principle, binding those who derive their origin from the same parents in an affection towards one another which no time or change shall utterly dis sever; and teaching them thence to widen the circle, and to widen it yet more and more, until they recognize in all human beings one great and extended brotherhood, a family around which love should flow, and from which love should ascend as the best offering of worship to our Almighty and common Parent! Maternity, which is indeed an enduring bond, surviving, if our hopes be true, the grave itself, extending into another state of being, and prolonging the union which it formed, even to the ages of eternity! O, shame and degradation is it, that this beautiful and holy power should ever be misdirected to such purposes as I have enumerated; that it should aim at eradicating the feelings and tendencies which best become those who sprung from the same origin, and are advancing towards the same destiny; arm the child, like Ishmael, against his brethren, and send him forth a hard and conflicting spirit, seeking for a vain glory in the execution of bloody deeds!

And what are the influences to be employed on the boy when emancipated from the direction of the mother, and from the restraints of the family? He is, we are told, at an early age to be separated from these; for that whatever may be the case with others, a public school is essential in a military education; and the love of home, which may be so properly cherished in those who have different occupation, is to be kept down with him, because it would only become an annoyance. He is to be isolated from those bonds which, if they restrain, have only the restraint which arises from kind and affectionate

feelings. He is not to have strong in him that realization of the deliciousness of home, which is the only basis of a rational determination to conflict for the sake of men's homes, and their preservation from invasion and spoliation. He is to be led in a different course; and after a public school has done its work upon him, the agencies for maturing his military character are thus described by Mr. Edgeworth: "All the assistance that can be derived from eloquence, from public opinion, from the influence of the fair sex, from the distinctions of ranks, and the ideas of honour and patriotism, must combine to support the martial spirit among civilized and luxurious nations, whose courage is not instigated by the appetites and passions which hurry savages to battle." And what a description of influences is this,—what a perversion of powers! What is eloquence when eloquence ceases to breathe the language of truth and humanity, deeply felt in the soul of the individual, and which, therefore, he burns with the desire to realize in the souls of others; what is it but the pleading of the sophist, working with the mere charm of words to produce and perpetuate delusion; what is that influence which can be exercised on the characters in question by the other sex, but the old frivolities of gallantry, the old absurdity of chivalry, ever degrading most those whom it affects to glorify? What are the distinctions of ranks, unless simply regarded as machinery to work the public good, in which the distinction itself, to every enlightened and patriotic mind, is merged and lost in the contemplation of that wide benefit to which, if justifiable at all, it is subservient? In these and the other agencies enumerated, what a strange mixture is there of what is good, and what is bad; a lowering of lofty motive, and a raising towards an equality with it of that which should be placed an infinite distance below; and, at length, presenting to us something resembling the con-

fused materials, fair and foul, collected from all sources, of a witch's cauldron, and the disgusting combination kindled by infernal fire, in order to raise a fiend, and realize a curse.

I come now to the regulations under which the military profession is exercised, and which render it one of such unmitigated slavery, especially to the inferior portion of the army, as is incompatible (for all slavery is incompatible) with any true or sound morality. It is to me a most objectionable circumstance, that a soldier is devoted to his avocation by an oath. Oaths are objectionable in almost every mode of their imposition: objectionable even when they only relate to the past, and are employed to certify the truth of its events; yet more objectionable when they relate to the future, and constitute a binding of the will and conduct for futurity; and most of all objectionable when that obligation not only fetters the will of the individual, but binds it to the will of another, to which his own is to be in perpetual subjugation. The oath taken by the recruit runs thus:—"I do also make oath, that I will be faithful and bear true allegiance to his majesty, his heirs and successors, and that I will, as in duty bound, honestly and faithfully defend his majesty, his heirs and successors, in person, crown, and dignity, against all enemies; and will observe and obey all orders of his majesty, his heirs and successors, and of the generals and officers set over me. So help me God."

I suppose this is taken, as so many others are taken, with very seldom anything like a realization in the individual's mind of what he is saying or promising; and society appears to be as little regardful of it as the individual, because certainly we do not,—cotemporaries or those who place such transactions on the records of history,—visit with any very heavy reprobation what I cannot but regard as a violation of the oath. For

instance; by imagining an age not protracted beyond instances of which there are examples in the army list, we may suppose a man to have taken this oath to James II., to have sworn "to defend him, his heirs and successors, in their persons, crowns, and dignities." This man first breaks it in the succeeding reign; becoming the soldier of William III., he takes a new oath of a similar description, in virtue of which he goes out to warfare against the heirs and successors, nay against the agents of the very individual whose person, crown, and dignity, he had before sworn to protect. Certainly Queen Anne was not King William's heir, though she might be his successor. In remaining in the army under her reign he breaks the second oath; the violation of the first being also repeated, as neither was she the heir of James II. He takes the same oath in the same words, or the words may be slightly altered but the spirit of the oath has always been the same, and he repeats it to Queen Anne: the very repetition being a violation, a double violation, of his former vows. She dies; and on the accession of the house of Hanover, he takes another oath, and swears to protect George I., and his heirs and successors, in like manner; and in the execution of this to him, his heirs and successors, he goes out in 1715 and 1745 to warfare with the very heirs and successors sworn to in his first oath, dealing with them as outlaws, traitors, and criminals. Perchance there may be in their ranks some youthful comrade who took with him his original oath, who has held it binding on his conscience, has been in virtue of it an exile from his country through all the succeeding years and reigns, returning hither to vindicate the rights of the heir and successor of that monarch to whom they had in common sworn allegiance; and our supposed veteran may close his career by mounting guard at the execution of the companion of his boyhood, his execution as a rebel and traitor, for having kept the

very oath which he himself, as an honourable man, and an approved soldier, had over and over again violated.

It may be said by some, perhaps, that the legislature affixed a different interpretation to the oath, or gave its obligation a different direction.

But this explanation is not satisfactory; the legislature made no such assertion as that William III. was the heir of James II. or George I. the heir of Queen Anne. No; what they said, by implication at least in their acts was, we make a change on public grounds; the compact between the monarch and the people has been violated and we depart from the order of succession: but the oath remained the same notwithstanding any change which they might make. It was not an affair between them and the individual, but between his conscience and his God; and if we admit the notion of their authority thus to explain it away and to give so forced a sense or different a direction to it, there is no stopping short of the absurdity but that what was done by the parliament of William III, or of Queen Anne, might have been done by the Long Parliament; the obligation transferred to the Commonwealth; and thus we might be compelled to receive as a genuine adhesion to the oath to protect the person, crown, and dignity of Charles I. his heirs and successors, the engaging in active military exertions not only to destroy him and his followers in the field, but to uphold the authorities by which he was imprisoned, arraigned, tried, and condemned. So might the swearing of allegiance and protection comport with guarding the royal scaffold, and hunting the heir and successor through the country!

And what a clause is the last. The recruit not only swears to obey royal orders, but those of the generals and officers set over him. Methinks in a free country it is scarcely a decorous form of oath to be imposed on the armed portion of that country, that they should submit

even to royal orders, without any restriction whatever on behalf of public right. There is no mention whatever of the people, in the oath : they are all passed over as if they were no more than the hordes of Russians, in the personality of whose Czar is contemplated all power and majesty. But while the nation, the supreme authority from which the king himself but holds derivative dignity, is entirely lost sight of, a subordinate agency is kept in view, and he swears to obey all orders of his generals and officers. It may be said that the word *lawful* is understood here. How is the poor ignorant peasant, who is brought up to make the deposition, to know that there is any such implication? nay, how do you and I know it; or in what way could any man, safely act upon any such interpretation? I fear it would not save the soldier from being shot, who, being commanded to do an act even that he clearly saw was wanton devastation, should refuse to do so because he deemed the order to be unlawful. Submission, unconditional submission, taking the command of his superior for warrant to his conscience,—this is the plain dictate and tendency of the language.

The slavery which thus commences with an attempt to fetter the conscience itself, is afterwards rivetted in a great number of ways. There are no less than nineteen distinct actions specified as subjecting the soldier to capital punishment, the Court Martial being the means of carrying it into effect; one of which actions is relieving an enemy with money or victuals. That is to say, it is death in the army to be of the opinion of the Apostle Paul, that if our enemy hungers we should feed him. Many of these actions are capable of a large interpretation, so as to include a number of others. Besides these, there are a great number of offences which subject to a lighter degree of punishment. There is also the power of depriving him of eventual recompence. There is a hold over a man in every way. There is a power of

harassing which may make his life unendurable. There is the right of inflicting a species of punishment which cannot but disgust by its utter brutality, and of which a recent instance has produced a strong sensation of horror in the mind of every humane person; and there is a power in the breasts of a small number of individuals, of consigning the supposed culprit to any of these sufferings. For under the most favourable circumstances as few as nine officers (and every member of a Court Martial is sworn to secrecy as to the opinions of the members of that Court Martial, so as to destroy all responsibility arising from opinion), under the most favourable circumstances, I say, as few as nine, under other circumstances as few as four, may sit in judgment on the life of an individual, and consign him to death for these offences.

And the character of the service is marked by the nature of some of the offences which it has been necessary to specify, and to denounce punishment against. The extract I am about to read is from the Articles of War; and this is one which is appointed to be read aloud to the troops once in three months; the sentence comes first, and the description of the crime follows:—

“A *District* or *Garrison* Court Martial may sentence any soldier to imprisonment, with or without hard labour, in any public prison or other place which such Court, or the officer commanding the regiment or corps to which the offender belongs, or is attached, shall appoint; and may also direct, that such offender shall be kept in solitary confinement for the whole or any portion or portions of such imprisonment, or of such imprisonment with hard labour; or may sentence any soldier to corporal punishment not extending to life or limb, for immorality, misbehaviour, or neglect of duty; and such Court may, in addition to either of the said punishments, sentence a soldier to forfeiture of all advantage as to additional pay, and to pension on discharge for disgraceful conduct;—

In wilfully maiming or injuring himself, or any other soldier, *even at the instance of such soldier*, with intent to render himself or

such soldier unfit for the service ;—In tampering with his eyes ;—In malingering, feigning disease, absenting himself from hospital whilst under medical care, or other gross violation of the rules of any hospital, thereby wilfully producing or aggravating disease or infirmity, or wilfully delaying his cure ;—

AND every such offender may further be put under stoppages, not exceeding two thirds of his daily pay, until the amount be made good of any loss or damage arising out of his misconduct ;—and if any soldier shall be convicted of any such *disgraceful* conduct, and shall be sentenced to the forfeiture of all claim to pension, the Court may further recommend him to be discharged with ignominy from our service.

This description to many may not be intelligible on the first hearing. It means simply this,—that so heavy, so intolerably heavy, is the burthen often felt of the profession to which they belong, that men will even tamper with their eyes, or maim themselves, so as to become unfit for the service, and obtain their emancipation from it at the expense of that which others would be disposed to defend at the peril of their lives. What a state must that be which renders severe enactments necessary in order to prevent men's quenching the orb of sight, and depriving themselves of the light of heaven, or foregoing the use of those limbs which are so necessary to minister to us, and which constitute our strength and power ! Yet this, we find, becomes a substantive crime in the army, having levelled at it heavy punishment.

But it is a state of slavery altogether ; and with remarkable consistency it upholds that which the voice of legislation, echoing the voice of philanthropy, and of justice, and of religion, elsewhere has abolished ; and now, even under the legislation of this passing year, we find that slavery recognized, and that right of engaging in the slave trade recognized, which elsewhere is felony, and punishable with the disgrace and the penalties of felony. A clause in the Mutiny Act passed last session reads thus :—

“And be it enacted, that all Negroes purchased by or on account of his Majesty, his heirs and successors, and serving in any of his Majesty’s forces, shall be deemed and taken to be free in every respect as if born free in any part of his Majesty’s dominions, and shall be considered as soldiers having voluntarily enlisted in his Majesty’s service ; provided that nothing contained in this Act as to enlisting for limited periods of service, or in any other Act as to any rules or regulations for granting pensions or allowances to soldiers discharged after certain periods of service, shall extend to any Negroes so purchased.”—*Mutiny Act*, c 39.

So that the right still seems to be legally vested in the Crown of purchasing Negroes, and giving them that species of freedom which they enjoy by being in the army ; depriving them, however, of those subsequent recompences to which the British soldier is entitled.

Such is the machinery by which this mass of men is compacted together and directed towards its purpose. What is that purpose ? The shedding of blood, and scattering desolation over a land, at the will of those by whom the fearful machinery is directed.

Look at the influence upon individuals of such a state—and this is another test to which the profession should be brought. The soldier is often left in idleness. His almost unparalleled exertions are followed by a long and unbroken period of listlessness and unoccupied time. He is subjected to the influences which most dispose towards whatever is dangerous, vicious, or degrading to human nature. The utter ignorance of the many, the partial cultivation of the few, and the worse than questionable discipline, in a moral view, of all, cannot but render indolence in them unusually rank in the foul crops which are its natural growth. He cannot but contract some hardness of feeling and character. The finer emotions of humanity will often be lost. The destruction of human life by wholesale will become a cool calculation, and having driven four or five thousand people into a river, may pass into a pleasantry. The

effect of familiarity with scenes of blood and desolation, eventually extends itself far beyond the sphere of actual conflict. The scenes of cruelty and atrocity that are sometimes practised, — the fierce breaking loose of military passion which, every now and then, especially after it has been arrested beyond a time which was thought endurable, shows itself in massacre ; these cannot but leave traces, indelible traces, on the moral being. The deception, — the patronage of deception, — the employing all arts and artifices to deceive an enemy ; these break down that principle of truth which is the vitality of morals. To a large extent licentiousness and dissoluteness of life characterise all ranks of an army. In peace this evil is mitigated ; but as the effect of a state of war on the morality of the profession was exhibited during the last contest, its members were rendered less and less acceptable in that intercourse with families which they enjoyed at the commencement. The same cause in the lower ranks of soldiers leads to the propensities and habits that, on the return of peace, break forth in crime. It has been long remarked, although at first the phenomenon was not understood, that the first two or three years of peace, after a continuance of war, show a most extraordinary increase in the number of criminals. The observation is as old as Machiavel, that war makes thieves, and peace brings them to the gallows.

The circumstances of those who without property or adequate income (and this is the case with the great majority of the profession) are yet expected by others, and feel it incumbent on themselves, to sustain a certain position in society, cannot but be most trying to all moral qualities. Hence arise some of the severest temptations to those departures from honesty and honour which are held, and deservedly, in reprobation. Is it wise to place large bodies of men permanently under such temptations ?

When we take the whole aggregate of influences

bearing upon the class in question, we cannot but apprehend that such a mass of unfavourable circumstances has scarcely a parallel. "This is a sorry sight," said the ambitious thane, looking at his bloody hands; but it is a far sorer sight to contemplate the deeper stains upon human nature which are produced by the continual action of the causes to which the military profession is exposed. We may further try it by its incidental effects on society, and on public interests. Whatever is injurious in its tendency in these directions, has so far a tincture of immorality. Now as to the effects on villages, or small towns, of the permanent residence of the military, has there ever been more than one testimony borne? Has it not always been represented as forming a dense nucleus, a pestiferous centre, of immorality? Have we not heard of aching hearts which were blithe and glad once, before this curse came over them? Have we not always heard of corruption of manners,—of men's attention drawn from their honest though toilsome pursuits,—and throughout the different classes of society of various species of vice becoming prominent, which in that vicinity had been altogether unknown, or which, when they did here and there show themselves, were sure to be repressed and crushed by the right feeling of a neighbourhood? And if we look to the nation at large, what must be the effect on the tone of public opinion of a large class of men who have an interest, to them the strongest interest, in a state of warfare? What, but that a love of war will be likely to characterise the nation itself? Besides those who are immediately and professionally interested, there are the families with which they are connected; the families who look to the army as a provision for their junior branches, and who are anxious to render it as beneficial a provision as possible. There is, in addition to these, all that class of persons engaged in commercial and mercantile concerns, who by loans, contracts, or tempo-

rary monopolies, reap from war pecuniary advantages. So that by the mere existence of the military profession, and the necessary concomitants of its existence, we trace the creation of a large, and powerful, and permanent war party in the country, addicted to war for its own sake, or at least for nothing in addition to that but the advantages to be reaped by themselves and their connexions. Is not this a dreadful evil? Is not this a perverting power over the nation's good, that tends towards public immorality as gross as any private immorality which we have been describing?

Further, the leaning even of the most intelligent and liberal members of the profession too often is towards despotism in civil life. Trained to habits of unquestioning obedience; drilled to a gradation of rank, which rises at last to an individual whose will is paramount; fixing the end of this long and firmly girt chain, not in free institutions, but directly to the throne; must there not be a tendency generated, a bias which few will have strength to struggle against; which will lead them to look with aversion on whatever is liberal and free in institutions, and to do homage to some form or other of despotism, and thus become ready to promote its adoption or secure its continuance? So strong is the effect of military habit, such the extent to which it may carry those in whom it has been formed, that, in the three days of July, at Paris, one of the regiments that joined the people in the outbreak that unseated the elder branch of the Bourbon family, first fired a volley at the multitude in obedience to its commander. Habits of unreasoning obedience carried them so far, before the dictates of their own minds and hearts could be felt, to set them right, and lead them into their proper position.

Ill does the military spirit accord with legislative functions, and yet how many of its members are to be found in both branches of the legislature;—rising to

the highest as a personal recompence ; gaining the right of making laws, simply by the successful management of the machinery I have been describing ! Ill qualified can they be, if professional discipline be the chief training, and professional honour the chief qualification they possess : and did they realize the very highest attributes of legislators, their connexion with it is an objection to be obviated, rather than a recommendation to a free people, desiring the best securities for good government.

The conclusion, therefore, in my own mind, is decidedly that the military profession is inconsistent with the principles of Christianity, and the dictates of pure morality. I cannot but look with admiration to such men as Captain Thrush, in modern days, who simply from a perception of the spirit and tendency of religion, resigned his commission in the navy ; or at those officers of Cromwell, in times gone by, who were so disgusted with the character of the war with Spain, that they threw up their commissions rather than serve in it. But how rare are such instances ! How seldom are they to be expected ! The common morality is, that the military man has nothing to do with the justice of a war : he is not to enter into the question : his business is to do his duty in his profession. And this morality is maintained even by those who are the public instructors in what relates to national morals if not to individual : and we find a man praised, lauded to the skies, for having been concerned in that wanton attack upon Washington during the war in America, which seemed merely to have been made for the purpose of a needless insult, accompanied and achieved by needless bloodshed : or that attack on the Danish fleet, which was a gross violation of amicable relations. But individuals are praised for doing their duty on such occasions, as if it should not crush all notions of duty in the mind, as if it should not banish any such association to the remotest distance from our thoughts, that these trans-

actions were mere acts of robbery, of plunder, of malignity, of violation of feelings which become our nature, and of the principles on which that nature ever should be regulated and cherished.

In the remarks which I have made in this Lecture, there are two or three circumstances which I wish you to notice ; they are first, that I have merely described tendencies and characterised influences. In this case, as in others, I have sought to make no attack on persons or classes, to make no reference even to personal facts, except where it was essential to the illustration of a position, but to shew what men must become, generally considered, when placed in such or such a station.

There may be—I have no doubt there are—pure, high-minded, honourable, patriotic men—men every way deserving regard, in this as in other professions. I contest not that—I gladly admit it : but I do say that the influences to which they have been exposed, the influences to which all are exposed in that avocation, have the tendencies which I have been endeavouring to delineate.

Let it also be observed that I have not endeavoured to bring before you any description of those scenes of horror and of loathsomeness which the subject might have suggested. It was not my wish to act upon your feelings in any such way ; most terrific, and most disgusting, are the scenes in which a soldier must often find himself, and in which he will often be an actor ; but I have regarded these as rather the accidents than the essentials of the profession. I would not affirm that there may not be such regulations as shall prevent all unnecessary violence and suffering : I would not say that it may not sometimes be necessary for him to endure the sight of, or to be an agent in, that which it wrings his heart to contemplate. It is by no factitious delineation—it is by no delineation of horrific truth—but it is by

the fairest and strictest analysis of the essentials and tendencies of the profession itself that I would lead your opinion to what I deem a correct view of it, and of the manner in which it should be regarded. I have therefore not entered into the question of war, nor its lawfulness under any circumstances: I have not limited the circumstances under which its practice may be supposed to consist with the character of a Christian nation. I have left all this just as it was, and confined myself to the existence of the military profession, and the moral character of such a profession.

It may be said that its existence is necessary; and that therefore, however evil it be, we must submit to that evil or leave ourselves defenceless. I have no faith in these alternatives: all of them that I have ever investigated I have satisfied myself are fallacies. I do not believe that Providence ever imposed on us any necessity for a deviation from that Morality which consists in seeking the happiness of the greatest number. Show that the military profession tends to generate passions which are in irreconcilable hostility to this, and I will say there is, and must be, a miscalculation in the attempted proof of its necessity. What is that necessity deemed to consist in? The Preamble of the Mutiny Act tells us: "Whereas it is adjudged necessary by his Majesty, and this present Parliament, that a body of forces should be continued, for the safety of the United Kingdom, the defence of the possessions of his Majesty's Crown, and the preservation of the balance of power in Europe, and that the whole number," &c. &c.

Here are the reasons, the legislative reasons, for the continued existence of such a profession. The defence of the United Kingdom—of this our island, our beautiful and fruitful island—realizing so much of good to all of us, so much of good as it ever has realized even under the worst circumstances, and so much more as it

promises now to crown each succeeding generation with—assuredly ought not to be left to chance. But I question whether the species of defence here pointed out be that on which it is most safe to rely. That which it is the business of all to defend (and it is the business of all to defend what they deem valuable) may be best defended by all. A nation's strength for all legitimate purposes of defence is in the training of its entire population, and in the leaving all such occasions of conflict as do not interest them sufficiently to call forth their exertions, as not worthy of regard. A conscription taken fairly from all classes, exercising its rigid impartiality over the highest and the lowest ranks, but requiring of them all that they shall be able, when the season arrives, to do their share towards the protection which the violence of others may render necessary; this is practicable; this is a nation's best defence; and this I believe might be realized with the best effect in every country in the world.

“The defence of the possessions of his majesty's crown” is assigned as the next reason; and yet the most extensive, the most precious, the most honourable of those possessions, the American colonies, were not saved by this defence. Thank Heaven they were not; becoming to us so far more valuable by their free commerce, and their free institutions and literature—to us and to the world—as they did by that transaction, and as they could not have done if the alleged, but unreal reason had been carried into effect. What has it ever availed? Could it defend even Ireland?—Could it have done so but for the Catholic emancipation which did take place, and for the Church Reform which must take place? There is no defence of possessions beyond the limits of a country but their common interests, that ought to be regarded by patriotic legislators, or by a philosophical moralist. Leave them to this, and it will always ensure so much union as is needful or profitable

for all. "The balance of power in Europe"—O this is the cant phrase—the old juggle—that one corrupt minister after another made the pretext of war abroad and taxation at home. When has this "balance of power" existed? How long has it ever remained? When could the smallest portion of time, or the least variation of circumstances, not destroy its existence? It is like absolute equality amongst individuals: realise it at five o'clock, and at six it would cease to exist. And even if any such arrangement could be permanently kept up, what would it avail? It is not in this that the happiness, the freedom, the prosperity, the true good and goodness of nations consists. What has the balance of power, if it be sustained, as I suppose we should assume, this reasons being assigned, and the required means provided—what has the balance of power done for Poland, crushed beneath the foot of a barbarian and insulting despot? What has the balance of power achieved for France, cajoled of the fair prize for which its military and its civic heroes fought side by side, and shed their blood? What has the balance of power done for Italy, for fair, refined, and fertile Italy, pressed hardly upon by Austrian domination? What does it for Switzerland, continually exposed to insult and enslaving interference by other and larger powers? What did it for Spain, so long distracted by civil conflict, where, at length happily, power of a superior description is employed to effect its pacification, and that promises to be realized by the political genius of a Mendizabel which could not be accomplished by the military prowess of a Mina? What does it for Portugal, tossed about at the capricious will of a wayward child? Or what for Germany, mighty and intellectual Germany, trodden upon by hoofs of hosts of despots, great and small? Oh, of all the bubbles for which nations have sacrificed their money or their lives, none was ever a more pitiful deception, a more paltry cajolery than this

cant of the balance of power, repeated unmeaningly from time to time as a plea of justification for keeping up a profession that tends to demoralize man, to impair the civil virtues of the citizen, and to pervert the legislative influence of the ruler.

As nations advance in knowledge—in the arts of civilization—in an expanding liberality of policy abroad, and in freedom of institutions at home, the power of self-defence residing in themselves will advance also. They will give their children physical as well as mental education, training them to be ready, as Milton describes himself, to use his sword as well as his pen, if needful, for his country's weal. They will not abide the permanence of a sanguinary power which may be let loose on them wherever there is a tendency towards despotism in one quarter, and the strong habit of vassalage and military subordination in others, ready to act at its command. In the savage state every man is a soldier. This soon changes; the first stages of civilization lead to the luxury that relies on hirelings, and often aliens, to shield it from the invader. But the iron has always prevailed over the gold. A native military profession only makes another step in the advance: that advance, in civilization as in science, brings us again towards simplicity. The highest degrees of civilization, in their tendency to prevent all battles except the conflicts of opinion, restore that universal union of the characters of citizen and soldier which the lower had severed for a time: and men in their best condition for acquirements and attainments, for prosperity and enjoyment and improvement, will delight to rest on themselves, on their own readiness to use their arms skill in which they shall have acquired from their earliest days, whenever it shall be necessary: thus opposing not merely a temporary barrier, but an eternal fortress of adamant against the assaults of the invader from without, or of the tyrant from within.

To use the words of one, who, rising to deserved eminence in a different profession from that on which I have been animadverting, but which has its temptations also, and those most formidable; yet, who appears, by the work I am about to quote, to have preserved through all those trials, and in that success, the poetical feelings, and the lofty principles of his youth; I would say,—

“In ourselves,—

In our own honest hearts, and chainless hands
Will be our safeguard. While we seek no use
Of arms, we would not have our children blend
With their first innocent wishes; while the love
Of country and of justice shall be one
To their young reason; while their sinews grow
Firm midst the gladness of heroic sports,
We shall not ask, to guard our country's peace,
One selfish passion, or one venal sword.”

TALFOURD'S ION.

FINSBURY LECTURES.

REPORTS OF LECTURES DELIVERED AT THE
CHAPEL IN SOUTH PLACE, FINSBURY,
BY W. J. FOX.

No. V.

LEGAL MORALITY:

(THE FIFTH OF A COURSE ON "MORALITY AS MODIFIED BY THE
VARIOUS CLASSES INTO WHICH SOCIETY IS DIVIDED.")

LONDON:

CHARLES FOX, 67, PATERNOSTER ROW.

MDCCCXXXV.

THOMAS CURSON HANSARD, PATERNOSTER-ROW.

THE MORALITY OF THE LEGAL PROFESSION.

LAW is that portion of morality which society may usefully enforce, by the application of rewards and punishments, in addition to the natural consequences of men's actions. Such at least is the best rationale of law which at present offers itself to my thoughts. It is evident, then, that in a perfect state of society there would be no need of law at all: men would so distinctly perceive, they would so vividly realize, those natural results which are the sanctions of nature's law—which are the rewards and punishments of Providence, that there could be no occasion for strengthening them by any of the artificially created pains and pleasures, that, in their united capacity as a society, they could apply to individuals. It is also evident from this description, that in a rude state of society, law must be the great substitute for that moral principle which is the growth of intelligence and civilization; and that its sphere and its mode of action may advantageously vary, in proportion as society advances in the different gradations which conduct it from the savage state to the highest degree of refinement.

Law, though derived from morality, is distinguishable from morality in various particulars. It has a more limited sphere, and can only concern itself advantageously with a small portion of man's conduct; whilst morality embraces the whole, and applies to whatever he does—to whatever he thinks. There are many actions,

highly moral, or grossly immoral, to which the means which society devises, and has the power of using, cannot usefully be applied. They are better left to those natural consequences which I have described as nature's sanctions. Law is inferior to morality in the object at which it aims. It is more confined, and of a lower description. The aim of morality is the creation of the greatest absolute amount of happiness; the happiness of the individual—the happiness of his fellow-creatures—the happiness of this life—the happiness of all future states of being, which a man may in his sincere conviction anticipate. How much of this is above the objects and the aims of law! That looks only to man in his connexion with others as a member of society. It regards only that degree of deliverance from danger, or of the promotion of enjoyment, which can be consulted by social combinations and arrangements. Again, there is a difference in the sanctions. Those of morality are consequences which cannot be avoided; consequences which belong to the very nature of things; consequences which exist in virtue of the same principles by which we ourselves exist; which inhere in our being; and which, while some of them have an external existence, are, many of them, and those the most important, perhaps, realized within us, becoming portions of our own consciousness, and inflicting retribution within our bosoms, in a way which none can escape, and none defy with impunity. Law, obliged to have recourse to external instruments, can only influence man by a rude and rough machinery, acting upon his grosser interests, his personal freedom, and, in extreme cases, assuming the disposal of his life.

Law, then, is but a chapter of morals; law, in the view of it which I am now taking—for I cannot include under that appellation the thousand impositions to which individuals and classes subject other individuals or other classes, or which one man may enforce on multitudes;

they may be folly, or they may be tyranny, but are altogether unworthy of the name of law:—it is a chapter of morality, and a most important one. Society itself—the union of men with others for common purposes of defence, of enjoyment, of improvement—this is a dictate of morality, a precept of that great and universal code which is written by creation on man's heart, and illustrated by Providence in the annals of man's history. Man does not enjoy the full result of the powers with which his individual being is endowed, while he lives only an isolated existence. Society is necessary to mature humanity, and it is only in society that the individual man reaches the whole compass of his being. As this combination is the dictate of universal morality, so may all that naturally and properly flows from it be considered as included also, and forming one portion, section, book, or chapter of our moral code. And law re-acts upon that greater code from which it is derived. When once established, it exercises a reciprocal influence on public morality; and we find, not only in what is matter of legislative enactment, but in what is incapable of human establishment, throughout the whole compass of men's relations with one another, and the relation which religion teaches them they hold with the great Being who is their Creator and Governor, we find that over all these, human institutions and human laws exercise an extraordinary degree of power. The standard of general morals is raised or is depressed, both for individuals and for whole nations, and through long periods of time, by the agency of these arrangements. If we except the effect which religion produces in the fervour of its first promulgation, when its missionaries go forth into the world speaking as with words of flame, and acting upon men's hearts by that power which emanates from their own hearts—or those periods of like influence, when great reformatations are wrought, and nations who

have been long torpid in ignorance and superstition, are called on, as with a voice of thunder, to arise from their slumber and behold their God, in the genuine and primeval annals of his recorded will ; if we throw out of the question the great results produced at these extraordinary junctures, even religion itself does not produce effects on men's habits and manners, their actual and practical morality, which can be compared with those produced by institutions working in all the ten thousand ways in which institutions can and do work—upon their thoughts, their feelings, and their conduct, in all the diversities of their individual, their family, their social, and their civil relations. This is, therefore, a chapter of morals which it becomes us to study attentively ; one in which there must be much good to be reaped by observing the way in which law becomes a pure and efficient moral principle, and the deviations which it makes from that mode so as to become a source of mischief, oppression, corruption, and degradation.

To give law its best direction, as a moral principle, several characteristics must combine, which I shall briefly pass before you in review. It can only have this highest character when it is made with the common assent ; when it is founded on just, philosophical, and comprehensible principles ; when it is promulgated so as to be brought home to every one's knowledge who is subjected to its dictates ; when it is simple and universally intelligible ; when it is so administered as that justice shall be promptly and cheaply attainable, and by honourable means ; and when it undergoes revision from time to time, so as to hold on an equal course with that improvement which is continually taking place in the history of the human mind and the human character. In proportion as we find these qualities connected with law, does law deserve our veneration ; in that proportion is it the most powerful auxiliary that morality can have, a

source of happiness, and an aid in the formation of character in successive generations, which will ensure the world's advancement at the most rapid pace. In proportion as it wants them, should every honest mind enter into the necessity of a revision of its principles and a reformation of its enactments, and every honest tongue call, in the words of Bentham, for "Justice! justice! accessible justice.—justice not for the few alone, but for all; no longer nominal—but, at length, real justice."

To give law its efficiency, it should be made by general consent; this is the first essential to its being held in respect, and acting as a moral principle. Sir William Jones calls "sovereign law, the state's collective will;" and the definition holds with regard to its origin. In one of the writs, issued by the first Edward, calling together the then representatives of the Commons, it is said, that "what affects all should be assented to by all;" and although formally this may never yet have been realized in any country, or under any system of government whatever, yet morally is it essential to the power of law over the community. If it be not necessary to legal obligation—that is to say, if there be a power in society by which those who do not assent, even though they form the great majority, yet can be compelled to obey enactments against which their minds protest; yet this comes under the description of tyranny, not of law; and is one of those aberrations from the proper object of the institution which have so often been made by men, either in the pride and wantonness of power, or for the gratification of a sinister interest. Whether formally or not assent be given to the law, there must be a general conviction of its reasonableness, which is tantamount to assent, or there is an end of that harmony between the governors and the governed which is needful to constitute men a society, and not a conquered body existing under the dictation of its conquerors.

Nor would it be so difficult, as some imagine (I see no impracticability at all about it), actually to obtain the assent of society at large to all laws as they are enacted. Let them be framed by the most competent talent that a nation possesses; let those who are the great and master-minds of their age, be called upon to employ their powers (and when can they be more worthily employed?) in framing regulations which they deem adapted for repairing the mischiefs of society, and calling forth its blessings. Where would be the difficulty of obtaining the general assent of the people to each enactment—assent not by representatives, but in their own persons? Why, throughout all their counties, districts, townships, and parishes, down to assemblies of so small a number as that the exposition of enactments could be reasonably made, with a view of its sinking into their minds and heart—why might not laws be propounded so that the sense of the community could actually be taken upon each before it was adopted? I know this would be impracticable with the imperfect machinery which is kept up, not because it is constructed for the purpose of eliciting any expression of the common mind and will of the nation, but because it has been established from the time when it originated in barbarism or conquest; but, with facilities that might very easily be provided, this mode might be adopted of bringing all into a state of harmony with that which is proposed for their rule of conduct, nationally and individually.

The next best plan is that of representation. And it may be presumed, that this will generally put the bulk of the community into so much of harmony with those by whom its laws are framed, as that, whatever is adopted, may be reckoned upon as having their acquiescence. Nor is the moral principle altogether wanting even in some despotic governments. So long as the people have confidence in the governing power, that it is not directed

to selfish purposes, but that there is the requisite wisdom and the requisite benevolence, to provide for the realization of the greatest amount of good, whatever be the form, the laws have the general assent, and will become a moral principle. This is one reason why, in many comparatively rude states, there has been an efficiency in institutions which seems to have been lost, or diminished, as society advanced. For instance, the members of a patriarchal household were in such perfect harmony with the patriarch, who was the head of the household; his commanding talent, as compared with theirs; his more elevated and expanded views; his attachment to them, and his identification of their interests with his own, made them so rely on him, that they would follow implicitly his directions; and to follow them implicitly might be the best thing which, in their condition, they could do. In communities subject to what are called theocratical forms of government we find a similar coincidence, arising from the principle, be it purely religious or be it superstitious, by which such bodies are held together. Thus Mr. Rapp and his followers, by whom the settlement of New Harmony was occupied before its purchase by Mr. Owen, were united together under some notion of a prophetic character in their leader, or of such a spiritual elevation, as made him more qualified to direct than any one else amongst them, and taught them to rely on him with confidence, which gave him more power than the most despotic ruler of the old world has ever possessed. Their minds assented to the principle on which he legislated, and in that confidence was the moral power of law, which thus issued from him, the living law, and which they adopted and acted upon with the same heartiness, as if they had a distinct perception of their own greatest good being involved therein.

But how can we expect such confidence under the very different form of society in which we live; when a large

portion of the people never give their assent in any way ; when, for the most part, they are left in actual ignorance of what is proposed, and of what is adopted ; when the power which dictates to them is a power that has grown up perhaps in defiance of their own remonstrances ? How can assent be presumed, or harmony exist, when legislators are appointed by a part of the community only, exercising their function of appointment under many restrictions, subjected to overbearing influence, only allowed to select from certain classes of persons, and the representatives whom they do thus nominate, after all, not being actually law-makers, but only the propounders of law to other bodies, each of which has a veto upon their decisions ? There are evidently not in this case the materials for that sympathy which makes law a moral principle ; a confidence has to be created and fostered to maturity, which shall write it upon their hearts as well as in their statute book ; their assent is needful in a more clear, a more deliberate, and a more efficient way than any provision can realize which has here been described.

Law, as a moral principle, should be founded on just, philosophical, and comprehensive principles. I have often endeavoured to show you the imperfection of that morality which is arbitrary, preceptive, and particular ; which endeavours to make men righteous, and to deter them from being wicked, by prohibiting, or enjoining, this or that individual action. I have often endeavoured to show you that no true and sound morality can be thus formed ; that it makes man helpless, incapable of guiding himself, dependent upon the perhaps ignorant or interested teachers by whom these precepts are expounded, and often bewildered by that diversity of interpretation which will always obtain with reference to particular injunctions where there are not distinct and general principles by which to explain those injunctions ; I have shown

you that the endeavour to build up anything like character on such a foundation is altogether unavailing: it will make no man his own moralist. Nor will the system of particular enactment in law, prohibiting this action as a crime, or enjoining that as a service to the state, but never appealing to general principles, never classifying, never giving us a clue which shall guide us through this mighty labyrinth, ever make a man his own lawyer. It never can furnish him, as a member of a civil community, with a guidance that shall enable him to do his duty, to abstain from offences, and well to promote the objects of society.

But such has been the plan, or rather the want of plan, on which our own legislation has been conducted. It always avoids principles: it seems as if there were a strong abhorrence of general principles influencing the legislature, and through them descending to the nation, and forming, unhappily, one of the greatest barriers to the growth of moral and intellectual philosophy which exists in the mental habits of the people of this country. As one act after another was found to be either obnoxious to the community at large, or to the legislative classes in particular, that act was prohibited—prohibited solely as to the particular species of offence which was then committed, and leaving other offences, as closely connected with it as possible in the motive from which they flow and the results to which they lead, to be provided for in like manner when they were brought into notice: now prohibiting, by statute, the stealing of bank notes from a letter, and afterwards having to prohibit the stealing of gold from a letter; as if the same principle which occasioned the one enactment should not have provided for the other; as if the adoption of plain and comprehensive definitions of crime were not easier as well as better than the vain and endless endeavour after complete particular specification. The consequence is

such multiplicity, such confusion, and such contradiction, that no man can tell, in describing the actions of any individual for even the shortest winter's day, (no lawyer can tell either) whether amongst those actions there is, or is not, a breach of some law. I believe—but I would by no means venture on a positive assertion in any case which involves an appeal to the laws of this country—I believe that all who are here present, unless you have been to your parish churches before you came here, or unless you go there afterwards, will be law-breakers; for, at least till a recent period, it was a penal offence for any man not to attend his parish church on a Sunday morning; and within no very great distance of time attempts have been made to recover the penalties imposed for this offence by an act passed in the reign of Elizabeth.

The most contradictory opinions have been given by the best authorities on questions which one would have thought must have been most easy of determination; and which would assuredly be of easy determination in any code which was constructed on principles founded in human nature. And not only does our law avoid the distinct and consistent recognition of principles, but it also continually implies contradictory principles.

There is no telling from time to time which of these contrary principles will be brought into operation. For instance, it is often said to be a principle of the English Constitution, that taxation and representation are co-extensive. We find this principle adopted in the admission of the Palatinate of Durham to a share in the representation. Anterior to that time, its own taxes were levied by that portion of the country on its inhabitants; but, when members were given to the city and county of Durham in parliament, Durham was taxed with the rest of the community. Here was the principle adopted and sanctioned in a very distinct manner, of the co-existence

of taxation and representation ; and yet it was against this principle that arms were appealed to, that the American war was commenced, and that the blood and treasure of this country were poured forth, in order to bend the colonies beneath the yoke of taxation without representation ; and it was the violation of this principle, and the determined adhesion of the government to that violation, which lost our sovereignty over those colonies. And now, even, what is the actual state ? Who are represented ? They are distinguished, except in a few particular cases, by something which is presumed to argue property ; and yet the taxation which is levied by their representatives, falls with by far its heaviest pressure—with its most crushing weight—on those who, not being possessors generally of property but solely dependent on their daily toil for subsistence, are most nearly affected by any imposts on the comforts and necessities of life ; so that we have in fact the representation of property, and the taxation of labour.

Who shall say whether the principle of religious uniformity, or of religious liberty, be that of the laws of this country ? Here, again, we are met by the most contradictory proceedings. We find the strongest distinctions between different religious sects and classes, confusedly mingling with appearances which imply that they all stand on equal grounds. Into the highest assemblies in the nation, the two legislative houses, Dissenters may enter as easily as members of the Established Church ; yet no Catholic can hold the highest legal offices, while a Presbyterian may be, and has been, the keeper of the king's conscience. The past week has shown us that a Jew may with great propriety be sheriff of Middlesex, but that he may not be alderman of London. Tests applied here, not applied there ; one sect taxed for another sect here ; there two or three sects endowed with public money : These, and similar incongruities, present

a mass of confusion, alike incompatible with the notion either of religious uniformity or of religious liberty.

Then in the administration of the laws, what different principles are assumed at different times, or exhibited contemporaneously? Sometimes it is broadly laid down and acted on, that legal criminality is dependent on the proving of corrupt motives, as well as on the injurious tendency of the action. This is especially the case with all imputations on men's conduct in a magisterial capacity. In other cases, motives are altogether disregarded: there may be the best evidence of the purest intentions,—it will be set at nought, and not allowed to be mentioned,—the tendency of the action will be the sole thing appealed to; and, what is yet more contradictory, that tendency will not be allowed to be ascertained by actual fact, but will be assumed in legal argument, and implied, as it were, in the shape of a legal fiction, in consequence of the fiat of a judge, to the production in question. Thus we have seen men brought to trial for publications, on account of their tendency to a breach of the peace, after they had been before the public so long,—for weeks, months, years,—that their innocuousness was become matter of history. The accused, although only an accessory, has occasionally been convicted and suffered heavy penalties, while the principal has been honourably acquitted.

Now surely all this inconsistency, all this absence of anything like principle, is neither necessary in the nature of law itself, nor certainly is it consistent with its becoming a moral power in men's minds and influencing their conduct.

For its best moral action the promulgation of law is requisite. As the regulations of society are adopted by a voluntary and deliberate act; as they are not merely developments such as science offers on the laws of the material universe, or such as observation attains with regard to the

laws of the human mind ; as they are determined upon by consent, and have affixed to them arbitrary sanctions of reward and punishment, it commends itself to the common sense of all that they should be made known, that they should be generally promulgated. Under the Jewish system there was ample provision made for publicity. "Moses," said one of the apostles, "is read every sabbath day;" and the legislative part of the writings of Moses, which was the entire law of the Jew, was capable of being read distinctly, so as to be heard by the multitude, in no very long space of time—perhaps in five or six hours at the very most. And why might not the laws of this country, reduced to their elementary principles, and arranged so as to give a lucid view of what is enjoined and what is prohibited, be read in like manner, so as to make them clear to all classes of the community, and then put in that form which printing enables us to adopt, so that every man, at all times when it was needful, could carry with him his civic directory of conduct? That this may be very well done we know in the instance of the Code Napoleon, which occupies very little more than a common sized octavo volume, and in that of the project of Mr. Livingston for the state of Louisiana, which, executed in the plan which he proposed, would scarcely be more than twice that size, and which might be further reduced for popular use. There would then be, not only a solemn warning against the evil disposed, keeping in their view the punishment which would attend their misdeeds; there would not only be a safe guidance, which assuredly is very much wanting, for the well disposed, teaching them how to avoid the snares which are now continually ready to entangle their feet in their most common occupations; there would not only be a general means for upholding something like public spirit in the community, and guiding it in the way in which it should operate; but there would be the means provided for permanent and useful instruction in morals, by means of this

exhibition of law as a portion of morals, which would be attended with the best results on the growing intelligence of the people. What a valuable instrument of instruction would thus be furnished in early education. It would bring to the mind of the youth a general view of the state of things in which he was to live, and of the principles on which he should act, which would nourish an enlightened patriotism, and well prepare the rising generation for public duty and usefulness.

To make this promulgation useful, there should be the reverse of what there is—there should be simplicity of language, intelligibility. It is one of the most striking instances of the predominance of other objects over the professed object, that is to be found in the world's history, which we trace in the construction of our laws. The number of superfluous words which are used is so great—the phrases are so thoroughly involved and complicated—the unmeaning repetitions are so bewildering—that a man may read one law after another, and a man, too, who is not incompetent or slow to apprehend that which is put before him, and yet have no conception of what it is intended to say, or what the framers of the law were driving at. This is occasioned by the retention of barbarous words from the time when the Norman-French, and barbarous Latin were our legal language, by the very vain attempt, made in harmony with the general renunciation of principle observable in our legislation, to enumerate all the individuals that constitute a class, instead of giving the distinctive characteristics of that class at once, and leaving the individuals to be inferred; and by mere custom, where no motive whatever can be assigned for the retention of phrases but that they have descended from one generation to another, and were employed by our forefathers. Legal enactments are as capable as anything else of being put into language perfectly distinct and simple, and which would remove,

far more effectually than the present phraseology, that possibility of doubt and cavil, the prevention of which is its only defence. The means now employed are the occasion of no small proportion of the legal disputations that arise. One third of the contests about landed property are said to be owing solely to the redundancies of language used in conveyancing; and it has been declared by one of the first legal authorities now living, that at the present day "no title whatever can be held to be perfectly safe." If such be the result of complication, there is assuredly nothing to be apprehended from recurrence to a philosophical simplicity.

It is necessary to the efficacy of law as a moral principle, that its sanctions should be proportionate, and such as commend themselves to the general understandings and feelings of the people. There is else a thorough separation of law and public sympathy. The frequent infliction, for instance, of capital punishment, outrages men's sense of justice, and puts their minds in arms (and rightly so) against the law. Or it has the worse effect of hardening them, of familiarising them with the destruction of human life, and thus producing a moral deterioration in a different direction. So flogging, and other modes of cruel punishment, can never be practised with impunity; they will alienate from the law, or will alienate from moral principle,—they will either harden men, or they will excite them to a conflict which is unnatural, and cannot but be pernicious in its results. While death was the punishment of forgery, how continual was the perjury of juries! While it was a capital offence to steal in a dwelling-house above the amount of forty shillings, one instance after another of the most glaring under-valuation of property, in order to take the offence out of the list, was sanctioned by men who had solemnly sworn to give their verdict according to the facts. This was one result of the demoralizing tendency

of law when it ceases to be in harmony with those great principles of which it should be the exponent.

It is also needful that its administration should be prompt, cheap, and by honourable means. That it should be prompt; and this it might be in all parts of the country, as prompt as it is in the metropolis by the arrangements which have been lately adopted; instead of which men have to lie month after month incarcerated before the question of their innocence or their guilt is brought to a regular issue; whilst, in the operation of law in a different department, the length seems almost interminable. We read of legal contests lasting for thirty, forty, fifty, and sixty years: there is one on record which extended to the length of ninety-two years. I saw another mentioned in a legal book, published in 1802, as having been *sub judice* for thirty or forty years; it involved the interests of a company of persons, all of whom except two were dead, and the suit was not terminated. Instances of this description might be adduced without end. So they might of the inordinate expense that makes justice often the privilege of the rich as distinguished from the poor; and often, what is much worse than this, a means in the hands of the rich by which the comparatively poor may be oppressed; by which the plainest rights to property have been foiled—their adjudication postponed even during the whole actual life of the parties who were entitled to the enjoyment arising from it; by which the most trifling actions have been made the subject of litigation, and carried from one court to another, until the result was so disproportionate, so extraordinarily disproportionate, to the original cause of litigation, as to strike with wonder that, in a country where anything like intellect existed, it could ever have been endured. I remember an instance which took place in a parish in Wales. The churchwarden seeing a carpenter at work in the church, told him to drive a peg into a certain pillar, that he might

hang his hat on it when he came to church. The next churchwarden brought him for this before the Spiritual Court. The first decision was against him, and it was carried from that court to another, and from that to another; it produced a litigation of several years duration; and at length a decision was obtained,—that the churchwarden was at liberty to drive a nail into the pillar, and to hang his hat upon it, and that an apology should be made to him for the vexation to which he had been subject. The parties were adjudged to pay their own costs, and those costs amounted to upwards of 700*l*.

Of a yet worse description than any of these, are the different means—which are enumerated by Mr. Bentham in his “Petition for Justice”—the different means which are employed in the course of the professed administration of law. Such as the multiplication of oaths; the falsehoods which must in some cases attach to those oaths; the distinctions which they create between witnesses; the way in which a witness is sometimes disqualified on account of his very honesty (professing his disbelief, perhaps, in a future state; when telling a falsehood he would be admitted as a witness, but telling the truth about his own disbelief, he becomes thereby incapacitated; so that supposing the conviction of a criminal depended on him, the man, as Mr. Bentham has shown, by simply asserting himself to be an atheist, may secure the immunity even of a murderer); the arbitrary rules of evidence, which so often contravene the professed object of eliciting truth; the mode of examining witnesses; omitting or putting questions so as to give a false coloring to the whole statement; the pleading, in which talent is allowed its full share of advantage over right and honesty; the vexations which arise from subdivisions of authority in some cases, from co-ordinate authority in others; the way in which a cause may be bandied about from one court to another, with a continu-

ally increasing weight of expense. Such enormities of these and other descriptions have been presented to me in the inquiries I have made on this subject, as altogether to oppress the mind, and to leave me the only alternative of generally and broadly stating the result in my own conviction, of an unparalleled enormity in this department, which more than any other requires the intense application of the national mind, for its immediate and its thorough revision.

And why should revision be difficult? No system of law can maintain itself in unison with men's feelings, and with the progress of society, that does not provide for its own revision. With the application of definition, arrangement, and classification to legal enactment; with the practical adoption of the mere elementary principles of the science of legislation, nothing could be more easy. Not unworthy of imitation is the practice of some of the United States, in the revision of their code every fifty years, so that every statute or arrangement is only likely to be continued so far as it remains in harmony with men's interests, opinions, and habits. Where law is identified in men's minds with morality, it gains a portion of the beauty and the worth of morality; commends itself as emanating from the same source, tending to the same ends, and becomes their living law, not a mere dead letter, or irresistible imposition which they despise, scorn, or hate.

The extent to which law fails, in this country, of identifying itself with morality, is very much to be ascribed to the faulty construction of the legislative authority. While the great and general principles of law should have the distinct sanction of the community, the application of those principles, and their embodiment in particular enactments, is a work requiring the assiduous labour of the best qualified minds. And unhappily we have the machinery that elicits neither the one nor the other; neither giving the vigour of general assent on the one

hand, nor on the other, ensuring the selection of the most competent and trustworthy individuals.

A portion of the community elects 658 legislators : they are chosen, I suppose, not, in half a dozen cases out of the whole, with reference to any aptitude for the great work of legislation which is to be confided to them. They are chosen for the sake of their local connexion and influence,—they are persons of the largest property in that vicinity ; or they are taken for party purposes,—they are supposed to be eloquent advocates of this or that political faction, which therefore exerts itself to put them into the body where they may pursue their advocacy with most effect. Very often celebrity in any other profession becomes the occasion of obtaining a seat in parliament. During the war it was often the reward of naval or military celebrity ; although reputation gained in a profession so entirely different should have been rather a presumption of incapacity than of aptitude. Chosen on these various and mostly irrelevant grounds, these 658 legislators proceed to deliberations on the proposition submitted to them, which but for the classification and broad outline of party, would present the most extraordinary chaos of conflicting passions, opinions, and interests, that can be imagined. It is then sent to another body of about 430 members, of whom there are 370 hereditary, and the remainder (the Irish and Scotch peers, and the bishops) chosen either for life or for a limited period,—some by their fellow peers, others by the sovereign as head of the church. Here it undergoes a similar discussion to what it had in the other house ; and at last its becoming law or not is dependent on the veto of an individual holding his authority by hereditary right. And these conflicting and jarring powers pass every year perhaps on an average about 300 laws ; 100 of them avowedly of a public character—the other 200 called private, but most of them, although relating to different localities,

matters of public interest, and not individual or family concerns, as might be supposed from the appellation bestowed on them. Besides the 300 thus adopted, probably many more are discussed and rejected; and from all this confusion what can spring but like confusion in the laws actually passed, exhibiting a mass of contradiction that the labour of a life might be vainly employed to ascertain—to say nothing of the correction when ascertained.

There is another source of law, and another means of keeping down the harmony which should exist between legislation and morals; that is, the power of the judges. For while the enormous bulk of the statute law is produced in the legislature, a yet larger portion of our law is produced in a different way, and is in fact made by the judges, under the name of the common law,—there being no such law in existence as the common law—there being no statement of its principles, no formality of enactment, it having, in fact, no being, but its existence assumed as a legal fiction by the judges, determining one particular case after another, and these cases becoming precedents for subsequent particular cases. Here, of course, there will be a different set of agencies brought into play, but they will also be agencies tending to anything rather than clear, simple, just, philosophical, and impartially and cheaply administered law. In fact, the introduction of expositors into the authority of enactors is always most pernicious, whether in religion, or legislation, or in science, or in any other department whatever. This has been the great mischief in religion—that the priesthood assuming to be the privileged expounders of religion, made religion while they professed to explain it. Thus have arisen the most degrading superstitions under which the world has suffered. And so in law, the assumed expounders have been to an immense extent the makers of that law, impressing on it the stamp of their individual minds, or professional prejudices.

The third cause is the sinister interest of the legal profession. It is not the fault of the profession that it has a sinister interest, but of society which allows the creation and the continuance of principles of action so much at variance with its own best interests. To prove that the interest of the profession is necessarily sinister, we have only to look at the way in which its members obtain their practice. It is their interest that laws should not originate with that general assent and intelligent approval which would preclude the contests by which they live. They have an interest in laws being constructed on the plan of particular enactment, and not of general principle ; because hence arises the occasion for toilsome but remunerative researches which they have to make. Hence also arises the frequent occurrence of the contradictions in which they may become alike the agents of either party. They have an interest in laws not being promulgated ; for hence comes in their agency to make those laws known to particular individuals on application for that purpose. They have an interest in the obscurity of the laws, the indefiniteness of their phraseology ; for a large portion of their occupation arises out of the ambiguity so created. They have an interest also in the law not being in harmony with the feelings and opinions of the community at large ; for they have thus more occupation from the spirit of conflict which will be stirred up in the community, and which will continually endeavour to overcome the law by popular interpretation, as it often does where juries are the medium of decision. They have an interest in the various complexities, the long delays, and the dearness to which I have adverted, and in the keeping off such revision as would reduce the whole to a state of simplicity and of utility. While the indirect legislative power of the judges generally works advantageously for the purposes of the class, and may become their own in the march of their profession. And when

we consider how numerous and influential that profession is—thirty years ago they were calculated at 40,000, at present they are probably more than twice that number,—there cannot but be a constant tendency operating to keep down legislation to the lowest point of excellence for public purposes which is compatible with the retention of any authority and respect at all. And must not this re-act upon individuals? I stand not here to use vituperative language against the members of any profession whatever—assuredly not in this case. I am describing the temptations, the moral snares, which beset particular classes of men in their course of life. To do so implies, I apprehend, no hostility whatever towards the individuals who are treading that path, whilst to others it may render essential service; may guide, or help to guide them, in the choice of an avocation for their offspring; and to the parties themselves it may be serviceable to put them more firmly on their guard, if they have not hitherto looked to it in a moral point of view, and enable them to realize that virtue which is always the more glorious for arising out of the storms and conflicts of severe temptation. But that it is a state of severe temptation, I think it is impossible for any one to deny whose mind has been at all directed to the subject. And I shall endeavour to trace the manner in which its tendency is to act upon the individual.

I think it is bad for the intellect. It tends to narrow the understanding, to cripple and confine its powers; to make a man a bad reasoner, a sophistical logician, and almost incapable of looking at anything in a comprehensive point of view. For he is incessantly led to consult precedent; he is always comparing analogies on the narrowest construction; he is baffled in every attempt (as he must be from the construction of the law itself) to lay down anything like a broad and general principle. And what can be the result but that he gets throughout

his whole mode of thinking a habit of looking at other things in the same points of view, regarding them rather as matters of precedent than ratiocination, and never rising into generality. This was remarkably exemplified in France. The code Napoleon I take to be one of the best efforts at legislation that the world has yet seen ; having more in it of broad principle and comprehensive arrangement, and being capable of a greater number of particular decisions than could, even with vast labour, be ascertained beyond dispute from our own laws. The good effect of the introduction of this code in France is said to be so far limited as that it may be pronounced almost a dead letter. Limited, not by its want of adaptation to the character and circumstances of the people, but limited by the impossibility of making the legal profession in France readily adapt itself to anything so simple, moral, rational, and philosophical. By still persisting in the old modes of reasoning, of appealing to precedent, they have very much perverted and misdirected what should have been one of the best blessings ever conferred on any nation.

It is the tendency of the legal profession to render a man indifferent to truth. I think that no one can safely live—I am sure he cannot unless he is continually on his guard—in such an atmosphere of falsehood, of never-ending fiction, as are the proceedings of courts of justice. Scarcely the simplest operation seems capable of being obtained without the introduction of fiction. And all this must familiarize the mind with falsehood ; it must blunt that sense of truth which belongs to the child, and which the child retains till perverted by others. And there is something more than this ; there are not only the falsehoods which are palliated as matters of mere form, but there is the falsehood which involves itself in the defence of what is known to be indefensible, or in the attack upon what

is believed to be not criminal. I do not think any man can form the habit of speaking indifferently on either side of a question without moral injury. Where merely done in the wantonness of intellectual power,—where only to call forth others and provoke discussion—I have known this practice attended with results which have been seriously injurious. I have known minds, vigorous, and well furnished, and well-exercised minds, by this habit lose from year to year, as life advanced, the facility for the perception of truth which was once possessed,—become entangled in the web of their own sophistry,—led astray into serious belief of what was once put forward simply in sport,—until at last the intellect sunk into utter incapacity of discriminating between a valid argument and the flimsy sophism, the true and the false, the useful and the pernicious.

And where this is done, as in the case of the pleader, for pecuniary compensation—where there is not only the argument on either side as it may happen, but where there is also (for such, unhappily, is the practice: honoured be the man who shall break through it) the simulating strong conviction, in order to impress the mind of a jury or a judge—nay, where there is not only the simulation of conviction, but of feeling also; and the pleader bursts forth in all the earnestness of impassioned appeal, as if there were strong emotions boiling up in his heart, such as could only arise from a fervent desire to avert a dreadful injury, or to secure a most indisputable and iniquitously contested right—I say that such simulation can only have the result of deadening all pure and true feeling, and that every man, careful of his moral state, should shrink back from it with abhorrence.

There is danger of generating, not only indifference to truth, but to humanity and justice. Mr. Edgeworth, in his *Essays on Professional Education*, mentions the melancholy observed in a veteran lawyer, who, on being

asked the reason of it, replied that he could not help sometimes thinking of the number of honest families whom he had sacrificed by his victories at Nisi Prius. And often must it happen in the collisions of legal warfare, that a member of this profession becomes the agent, in what he calls his duty to his client, of inflicting injury on those who are honest and deserving, and whose rights are crushed by the operation of that very law which ought to be their efficient safeguard. Sometimes he becomes a party to the infliction of punishment, of a nature from which his own soul recoils; and perhaps there may have been many a man employed in bringing others to the gallows who held that every act of capital punishment, morally considered, was an act of murder—its blood on the head of society; and his own conscience pacified by thus shifting the responsibility.

The forms of law are continually preferred to the substance; and even judges will admonish criminals to withdraw their pleas of guilty,—that plea being the best evidence which the community can have,—that plea being the submission, the voluntary submission of the party accused to the infliction of the law upon him, and commending its justice in the eyes of society at large. They have been persuaded by the bench to withdraw such plea; and the criminal, in the face of society and the world, has sometimes after its withdrawal been acquitted by some of those many technical modes of escape which are so largely provided for in what is termed the administration of justice. “I never go into the merits of a case when the opposite party can be turned round on a technicality.” Such was the avowed maxim of a very moral and honourable member of the legal profession, and it probably obtains generally in practice. But how much is implied in it; how much of the moral perversion which it is the tendency of law, as now constituted, to produce in the minds of those who

are its agents; of the total sinking of the claims of justice and of right in comparison with the preservation of forms, which in themselves have no worth, but which are so much mischief save as they tend to produce the result of justice. How plainly does it confess that the right is so much a mere matter of chance, that if you have it on your side it is better not to come to that point of the contest, if you can possibly avoid it, but to obtain your object by means which may equally serve the foulest fraud and injustice. The situation of the profession has a strong tendency towards servility; servility to connexions, in the first instance, in forming that practice which it often requires the sacrifice of so many years of a lawyer's life to obtain—servility to seniors in the profession, on whom so much must depend of the progress of their juniors—servility to those on the bench, who exercise such an extensive, and, in many cases, despotic power over their inferiors at the bar—servility to political parties, who so often make or mar the efforts of the best qualified individuals—servility to the government, which has often severely tasked that servility by calling for decisions and opinions in conformity with their own views, especially when those views were most hostile to the people's interests and rights.

Must not this system bias men in their social relations? Some have, no doubt, the rare virtue of which I spake; nor are there wanting well-principled and zealous friends of reforms which would serve the public at the expense of their own advantages. But a man does not commonly identify himself with a system or profession in order to amend it, but to live by it. It becomes a mould into which his mind and character are cast; and must it not make him a less competent educator of his children, than he would be if law were in conformity with morality? Must it not bias him in his connexion with societies of different descriptions which abound in the nation, and

where he should feel, but too often does not, that his skill and services are retained, not to furnish the required sanctions of law for any dirty or illiberal trick that a corporation or any other body may wish to defend, but to be the champion of justice in its essence, as he is its expounder in form? Must it not bias him in his capacity of legislator, into which capacity he often rises, and there give him rather a spirit of antagonism towards improvement than a disposition to facilitate its advance? These are his dangers; and we can only say to those who embrace, or those who are in the profession—Do but advance with your eyes open, and heaven speed you well through the intricacies of so perilous a course.

And lest our own view of the matter be but partial, let us conclude by glancing at the good for which we are indebted to the legal profession, by its production of a number of illustrious men connected with the glory and progress of our country, and with the best interests of humanity.

Let us remember that Lord Bacon was a lawyer; that comprehensive mind, so rich in its acquirements, and yet so vigorous in its reasoning powers, and yet often so delicate and sensitive in its poetical appreciations; that mind which we contemplate as of the immense capacity and lofty grandeur of intellect that should belong to the reformer in philosophy, and the author of a new, a sounder, and a more efficient mode of procedure in all the varied departments of human thought. He was a lawyer; and in remembering that, we must also remember that he affirmed the law in his day was becoming full of snares; and that there were snares to the administrators as well as others he himself unhappily found. For little, perhaps, if anything, more than carelessly following in a beaten path, he was given up unworthily by a cowardly sovereign to an irritated parliament, and received the

only taint that attaches to his name, from the profession of which he was the ornament.

Let us remember that Sir Edward Coke was a lawyer ; that intrepid man who showed such a stern and sturdy spirit in opposition to the despotism of a sovereign in defence of English law, and whose spirit became embodied, as it were, and endeared to his country through all succeeding generations, by the celebrated "Petition of Rights," of which he was the author. Let us remember that he was a lawyer ; but let us also remember, that the practice and the subtleties of the profession unhappily seduced him into that degradation of his own character which he showed in the animosity and vituperation, the fierce and gross vituperation, with which he conducted the prosecution of Sir Walter Raleigh.

Let us remember that Holt was a lawyer, in whose times the legislature, as well as the sovereign, had begun to stretch prerogative in a way that militated against the liberties of the country, but who found himself not at all backward to cope with such power, royal or parliamentary, when it infringed what he deemed the boundaries of the constitution. Justice Holt, that excellent man, who deserves the eternal remembrance of all who feel the pulsations of philanthropy in their hearts, for his resisting the employment of the military in merely civil concerns, where their agency was better dispensed with ; and for his stopping, as he did, the persecution which had been carried on so long against the poor creatures suspected of witchcraft, and who put down those persecutions in a manner which prevented their recurring afterwards : he was a lawyer, and it was because he was a lawyer that his virtues subjected him to degradation from his office as Recorder of the city of London—a degradation which would have been per-

manent but for the rare occurrence of a revolution in the government.

Let us remember that Sir William Jones was a lawyer; that man of pure and refined mind, of philanthropic heart, and of large attainments; whose character altogether, both public and private, beams on us with so much simple beauty and lustre. And let us remember that when he was appointed to his judgeship in India, the first and great enterprise he attempted was a digest of the native laws of the country; thereby bearing his testimony to the impropriety of the confused condition in which law exists here, and the desirableness of its being reduced to the simplicity of principles, and the order of classification.

Let us remember that Sir Samuel Romilly was a lawyer; that unwearied advocate of the enslaved and the oppressed; that philanthropist so full of love for humanity, and so persevering in his endeavours to wash away some of the traces of blood from the pages of our statute book. But remembering he was a lawyer, we must also remember how much he laboured for these good objects in vain; how little of the sympathy of the profession he carried with him; and how, after long and toilsome years, he left, to be realized by others, those measures which history should have associated permanently with his own name and memory.

Such are the men whom the law has produced. Adorning, but at the same time condemning their profession, they resemble those meteorous exhalations from marshes, which flitter about in beauty and in brightness, delighting the eye by their splendid coruscations, but which, the brighter they are in themselves, and the more beautiful, only serve to show more strongly the foulness of the bog from whence they ascended.

We can scarcely, I apprehend, call Bentham a lawyer at least I am not aware that, except in his endeavours

for the reformation of the system, he continued to identify himself with it. If not, he was much more : he was the teacher of that great lesson which I would put forth as the moral of this lecture ; he applied to law, as to morals, the great principle of utility—the only legitimate foundation of both : and he spent the long and unrequited years of his life in tracing, through all the minuteness of detail, the evils which should be corrected by this principle, and the good which it is capable of realizing. If in him, too, as in the great men whom I have just enumerated, I were to search for a corresponding failing arising from the profession, I should say, that in his applying it to morals, he comparatively failed on account of his exclusive familiarity with merely jurisprudential considerations. But whatever the imperfections of the “ Deontology,” the object of his life was to shew that this one great principle of utility pervades all things ; that one object is ever to be kept in man’s view, whatever the relation he bears to his fellow-creatures, whatever the course of action which he pursues for himself ; and true it is that, whether in the education of our children, in the choice of a profession or occupation for their maturer years ; in our own concerns from day to day, and from week to week ; in the most elaborate discussions in which we engage, or in the lightest amusements in which we participate ; in the driest detail of facts, or in the most ethereal forms of poetry ; in the most social, or in the most individual concerns ; in whatever is most simple, or in whatever is most abstract or religious. There is no wisdom, there is no virtue, but as they are subservient to the production of the greatest amount of good ; so that wise law, sound morality, genuine religion, as well as universal interest, are the realization of the greatest happiness of the greatest number, the production of the greatest amount of enjoyment to sentient being universally.

FINSBURY LECTURES.

REPORTS OF LECTURES DELIVERED AT THE
CHAPEL IN SOUTH PLACE, FINSBURY,
BY W. J. FOX.

No VI.

THE MORALITY OF THE PRESS.

(THE FIFTH OF A COURSE ON "MORALITY AS MODIFIED BY THE
VARIOUS CLASSES INTO WHICH SOCIETY IS DIVIDED.")

LONDON:

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THE MORALITY OF THE PRESS.

THE subjects of this Course of Lectures, taken in their order, present an outline, rough and imperfect though it be, of society, with its moral conditions and tendencies. The first three lectures related to the distribution of society, into those great classes which may be regarded as its constituent elements. We there considered the effects in a moral point of view, which result from the almost unavoidable marshalling of the community into an aristocracy, the mercantile and middle class, and the poor. We noted in each of these the indications which observation affords of their present condition, the circumstances which act upon them to preserve them in, or to turn them aside from, the true path of happiness; and the intimations which are afforded of their advancing into a better state. The next two lectures related to what may be called the conservative principles of society, and to the influence which the development of those principles, in the establishment of the two professions to which the lectures referred, exercises over the world at large. The first of these, the military, may be considered as the development of the physical principle of conservation, defence from external attack; as the other, the legal profession, is the embodiment of that principle of internal order, arrangement, and security, by which society is built up and compacted in its various parts, preserved from the confusion that characterizes anarchy, and put into a state from which it may make still further and

higher advances. In the operation of the first of these principles, that of physical conservation, there is continual danger of moral deterioration : in the other there is a tendency to progress, although that tendency is sorely obstructed by the sinister interest of the profession which it calls into existence. The last two lectures of the course, viz. the present, and that to be delivered next Sunday morning, relate to the principles of improvement, as identified with the diffusion of knowledge ; of knowledge which is intended to have an immediate effect upon the condition of society ; and of knowledge as it relates to higher duties and prospects, as it makes man aware of the full dignity of his nature, and by connecting this life with a life to come, ennobles, far more than could be done by any other means, the fleeting being which we here possess. Yet these principles, like the others, when they become embodied in different classes of society, when they become connected with interests, have their temptations as well as their blessings ; in all of them there is a commingling of good and evil, although we trace a preponderance on one side or on the other, varying according to the general correspondence of the profession in question with the great dictates of universal humanity. We can scarcely enter upon our present subject, "The Morality of the Press," without first remarking, that the invention of Printing must rank among the first, if it be not the very first, of those inventions and discoveries, by a succession of which humanity has been led on from its lowest condition to its highest advance, and by which there is opened to it the prospect of greater and more rapid progress than has ever yet been made, either by individuals or in society. That wonderful invention acted at once upon the world like a new creation of the past, of all the past, of humanity ; which, but for its influence, would have been but dimly seen, or altogether unknown to the great bulk of mankind. All the ages that had gone

by ; the nations that had arisen and that had passed away ; the philosophical minds which had been raised up, to diffuse abroad just principles, to analyze their own constitution and that of their fellow-creatures, and to make it evident to man in some degree what he was, and to what destined,—all were covered with a veil of impenetrable obscurity : they were as if they had never been, except in some unconscious influence, to the millions : they were only discerned by here and there an enquiring and learned spirit, who had ascertained their existence, and who had traced their agency. But with the application of the press, and with the multiplication of books, the facts of the past became identified with the then present, and yet more and more identified with the present of subsequent generations. There was at once a display of the order in which humanity had been advancing, from its very origin. It was as if a traveller had gone over a long and winding track in the darkness of night, unconscious of what objects he had passed in his journey, of their grandeur, their beauty, their variety, and then the sun arose upon the world, whose light not only beamed around him at the position which he had attained, not only enabled him to discern something of his way for the future, but revealed to him all that had hitherto been, showing him the path in which the race to which he belonged had been led by Providence through its past history, and created for him a new world, a world of human beings, who had had their day and departed from the earth, and sunk into oblivion, but now were regenerated from that oblivion, and presented to him for the delectation of his mind, for the exercise of his feelings, and for the formation of his character.

Not only did the press operate as a discovery or revelation of that which had been, but it had a strong action upon the then present state of things, and put men at once in a different relation towards each other. It

freed imprisoned thought, and gave wings to knowledge. Men's views were confined, either to themselves, or to small circles of their personal associates, or to that very limited diffusion which oral communication, or the copying of manuscripts could give, and they found themselves vested with a power to reach their fellow-creatures at the utmost remoteness either of time and place, or of rank and station. There was at once a diffusive principle set at work, which made the thoughts of gifted individuals the common property of hundreds, of thousands, and of millions, and which was a creation for the present, similar to that which was realized in reference to the past.

The invention of printing was the erection of a moral tribunal, more efficient than any which had before existed. The press necessarily discharges this function. Its doing so is not contingent on the views of those by whom its powers are exercised. The permanent publicity which it gives, is a moral judgment. It is a tribunal from which many have shrunk who would have faced any other. It is a tribunal which cannot be avoided; and has no doubt operated as a mighty check where others had proved unavailing. The recorder may be exercising no moral principle: he may be merely stating facts, and stating them, perhaps, imperfectly, under the restrictions to which he is subjected: but the record itself is a judgment; a judgment which passes from one generation to another, and which eventually becomes, though unintended at first, the ground of a moral retribution on the memory of those whose actions are so preserved.

And this invention acted upon every kind of knowledge; upon science, giving permanence to the observations and discoveries which men made: facilitating their communication with one another, diffusing the advantages of whatever physical truth they ascertained, to a much wider extent. It acted upon all the useful arts:

it enabled men to take advantage of inventions that might else have been confined within a very small compass, or perhaps have perished with their inventors. It acted upon the fine arts, introducing a philosophical criticism into the employment of the powers of genius, by which they were enabled to produce more extensive and more noble effects than before, and with greater certainty. It acted upon government, and introduced something like truth, justice, and principle, into its operations, forming a check upon power such as had never previously existed. It acted upon religion; upon religion, most promptly and energetically; connecting itself with that great revolution of the human mind—that insurrection of intelligence against priestly domination—which we call the Reformation; and which made the principles of the Reformation the source of yet further advance, in rendering religion more worthy of rational beings. It acted upon education; and applied a stimulus to the instruction of the rising generation in a far better mode than instruction could possibly have been communicated in, while the various means and appliances which it furnished had not been brought into existence. Thus was it not only directly a source of light, but indirectly, in all its various operations, in every department; the progress of the human mind in every direction was stimulated, quickened, and rendered more sure of attaining to its end, of human enjoyment.

No doubt, in this case, as in the action of all the progressive principles, there was an admixture of evil. Whatever view we can form of the causes that Providence has established to influence the progress of humanity, we find in them a blended action; and especially at their commencement, and while they are yet but imperfectly developed. The congregation of numbers into one place, is connected with the most rapid advances of society; and yet this is, to a certain extent, pro-

ductive of vice, and offers to crime shelter and impunity. The increase of wealth is one of the progressive principles, and yet we know this often tends to relax men from the sterner virtues of a simpler condition; that it introduces luxury, and aggravates the difference between the rich and the poor, and creates more misery and distress, which are hard to be struggled with, till the power of wealth becomes purer as it proceeds to exercise a more benignant influence. Political freedom has often in its earlier stages attendant evils, that, in the opinion of some, overbalance the good which it produces, and have made many minds, of no inferior grade in the intellectual scale, hesitate whether they should not prefer the quietude of despotism.

That the press, therefore, should have been attended with some evil is what might be expected: no doubt it has perpetuated much of falsehood, both in matters of fact and in matters of opinion. It has misrepresented characters,—it has distorted events,—it has given currency to erroneous notions that otherwise would not have been known in the world, at least not known in the time, nor under the circumstances, in which the press gave them a temporary publicity. By its exhibitions of crime it has no doubt tended to stimulate crime, both that which is so recognized by the world, and that which is not less criminal because it is not recognized for crime in the judgment of society.

The tales of the exploits of thieves and murderers have often acted on men's imaginations, gained possession of their thoughts, and borne them on with a sort of fatality, to the perpetration of like deeds of infamy: and many of those views of false glory which have tended to deluge the earth with blood; much of that fictitious glitter which surrounds power, and which excites the cupidity of reckless ambition—these have often by the press been kindled to a brightness with which they would not else

have blazed, and have urged on men to exertions, to nefarious exertions, which they would not else have made. And the press has also become at times the tool of despotic authority, that sought to lay its foundation not only in force but in men's minds, fixing its fetters on their souls; a heavy evil, but only temporary, because the very power employed for subjugating will in time prepare for deliverance from the domination.

The press is essentially, and vitally, and inherently, a moral power, nor can its character, though it may for a while be partially dimmed, ever be obliterated.

The subject of this Lecture may bear two interpretations. The morality of the press may mean either morality as exhibited in the printed publications of the day, or the morality of that class of persons by whom such publications are chiefly produced,—the profession of authors. The first of these only enters into my present view, in consequence of its connexion with the other; and that connexion will make some attention to it necessary, both because it is the best evidence of the action of the profession on those who are engaged in it, of the influences to which they are subjected; and also because it is thus that their moral condition, their temptations, their aberrations, become important to society at large; and I am not addressing myself in this lecture, or in any of these lectures, especially to the class which is designated in the subject of the lecture, but rather endeavouring to make such remarks as may be subservient to a general correctness of thought and moral estimate.

We shall first glance, briefly, at the morality of the press, as that expression applies to the publications in which it is exhibited. Much of this portion of the subject has been anticipated by the lectures already delivered; for in so far as the morality of different classes has been accurately traced, and the moral influences which are

over them have been rightly delineated, their morality becomes the morality of the works which issue from them through the press, to act upon the community at large. If, for instance, there be in poverty any tendency to produce bitterness of spirit, by the strong contrast of that condition with the advantages of others in the higher classes of society; any desire either to displace them, or to create confusion, in the hope of a better arrangement arising; or if there be anything whatever in poverty that tends to blunt or obliterate the moral sense, and the poor have an opportunity of speaking to the world by means of the press, then these feelings of their's, these results of the influence of their condition, become a portion of the morality of the press. And so if the circumstances of the higher classes lead them to frivolity, to insolence, to licentiousness, to a subjecting of the principles of morality to the rules of a fantastic honour—if they are in any way led by their peculiar interests to arrogate and to pervert political power; these tendencies appear in publications emanating from them, and form another portion of the morality of the press. If in the tendency of the military or the legal professions there be aught to bias men's minds from pursuing the straight forward path of honest statement, to deal in sophisms, to postpone the general good of society to the emolument or supposed glory of a particular class,—to represent military achievements as the great business of man's life, or the forms of law and justice as superior to those great objects for which alone law and the forms of justice ought to exist; why then such tendencies, openly or covertly conveyed by publications imbued with the spirit of these professions, will become another portion of the morality of the press. And so if religion be imperfectly understood; dimly seen as to its great moral principles, and the sympathies which it inculcates, and which it would make the fountain of all beneficence and enjoyment to

mortals,—if religion become technical, conventional, superstitious, and its morality a sort of arbitrary injunction ; then in the writings of divines holding such low and perverted notions, there will be another portion of the morality of the press, unhappily another instance of its deviation from the right and genuine standard.

And not only will the moral peculiarities of all classes be thus exhibited, but there will also be those more complex results which arise from their endeavouring to act one upon another. The religionist often writes, not merely for his own class, but to influence other classes, the poor, for instance ; and he produces those tame, trite, mindless, dogmatical, and often servile publications, which are disseminated abroad in the world under the name of religious tracts. Perhaps while professedly addressing himself to the poor, he is looking to the rich, and to their estimate of him as a teacher of the poor ; he writes to act on one class in a way which may recommend him to another class ; thus producing a yet greater complication of motive, and by the result, a yet greater aberration from the standard of morality. So the politician very often writes in order to act for his own personal or party purposes, on the religious part of the community, or upon the trading classes ; in the one case endeavouring to produce apprehension of the progress of superstition, or of dominion over conscience, or of infidelity and confusion arising from what he calls the undue extension of the right of private judgement, such as may stimulate men's passions, excite theological hatred, and engage in his service and support, all the influence of those who are living under the power of real or mistaken religious principle ; or if his attention be directed to the mercantile and trading classes, he yet further departs, even in his own view, from the honest display of his own morality, imperfect as it may be, in order to blend it with

the imperfections of their morality who are under different influences, and guide them by the apprehension of commercial loss, or the desire of commercial gain, to the adoption of principles which he himself advocates on a different ground, and is following with different aims.

The aggregate of morality as exhibited in the whole extent of publication is, in fact, national morality; and we may trace in it all the great departures with which the community at large is chargeable, from that true morality which yet, no doubt, has a strong hold upon the heart of the country. We may trace in the aberrations of national morality as thus exhibited, that want of principle, of clear and distinct principle, which I have so frequently had occasion to complain of. There are no great broad principles of humanity laid down generally, or referred to, or implied, in our world of literature, as the foundation on which morality is to rest. We find merely an assumption, an independent and individual assumption, of this or that practice as a duty, or of this or that practice as a vice, and there the matter is left. Almost all the cases in which there is any attempt at principle, are imperfect ones. They are chiefly those of the religionists who adhere to the very impracticable notion of a literal obedience to all scripture precepts, and take them for their summary of morality; and those of the Benthamites who follow their master where he has failed rather than succeeded in the application of his principles to individual morality, and who have thereby exhibited but a low standard either of the happiness to be aimed at, or the means by which it should be realized.

National morality, as thus exhibited, will also appear, I think, but as an external system, relating much more to actions than to dispositions; satisfied if all be done which was obvious to the world, but not going further, to those thoughts and feelings which alone deserve the

name of morality, and which are often most moral when they lead to a course that, tried by the other rule, the mere external rule, would subject to reprobation.

In the aggregate of publication an arbitrary morality would be exhibited, adopting rules without regard to reasons, and very often so applying them as to produce directly the opposite results from any which those rules could rationally have been devised for the sake of realizing. We continually meet, especially in what may be regarded as popular morality, with instances of this description. For instance, in a story long taught to children, and rendered more popular just now by dramatic representation, we find this case. A daughter beholds her supposed parent perpetrating the crime of murder; she is sworn to secrecy, sworn not to betray *her father*. A mass of misery results from the observance of this extorted promise,—misery, not merely to herself, but to many others, who are alike innocent and injured; it becomes immediately one of the most glaringly immoral courses that could be persisted in, and yet it is persisted in until the discovery is made that the paternity is only supposed and not real, when the murderer is instantly denounced. And this conduct is applauded by thousands as altogether pure, right, moral, and laudable, as a noble adherence to virtuous principle through the severest trials; while, in fact, it is nothing but a double exhibition of vicious practice,—vicious both in concealing the truth while that concealment was engendering so much of suffering, and vicious from the supposed obligation being at last dissolved by a quibble; for either the promise ought not to have been abrogated by any such discovery, or it ought never to have been regarded as obligatory. I take this instance because the popular feeling goes generally with it, and it may be regarded as a not unfair specimen of the notions which pass for morality with a large portion of the community.

Another imperfection in this morality is, that it is low

mind; that it confines its calculations to materials which are of the coarsest description. If man's immortal destiny be introduced at all, it is rather introduced technically than morally—introduced for the enforcement of certain religious forms, but not applied to the elevation of the mind, and the purification of the heart. The common morality may be contemplated in the two apprentices as they appear in the celebrated engravings of Hogarth, and as they also appear in the Deontology of Jeremy Bentham. The delineation of the virtuous apprentice is designed to be a description of social goodness traced to its origin, and conducted to its appropriate and satisfactory recompense; and what is the moral inculcated? What is there of truth, either to principle or to feeling, in the exhibition which is presented to us by either the artist or the philosopher? We find the supposed exemplary virtue of the youth depicted solely in its external bearings, implying nothing of moral and mental faculties any further than that very low development of them which is needful for the production of honesty in what relates to money, and external regularity and diligence. We find him rewarded by marrying his master's daughter, not as the gratification and the recompense of affection, but simply as a pecuniary advantage, as one of a series of elevations through the gradations of society; and thus he rises at last to the highest magisterial office in the city of London, not on account of any qualities whatever which have a real affinity to the work which he is then called on to do, or which give him such an enjoyment in that work as makes it a recompense to his heart and soul; but because that is the greatest external civic honour; the most important position in the eyes of society, that the artist contemplated in reference to persons in the state of life from which he started. Now this is altogether poor, low, and therefore false. The seat of virtue is in the heart: the enjoyments and recompenses of

virtue can never be represented as mainly those of external station, without peril; nor as those of external station isolated from feeling, without falsehood as foul as the peril is imminent.

The number of persons who are connected with the press so as to derive from it, either entirely or partially, the means of subsistence, is very large. They are a body of men who have a powerful action on their fellow countrymen; they are placed in circumstances not less fraught with temptation than any which have already been adverted to in these lectures; and I shall endeavour to trace the influences of those circumstances for the sake, as I before observed, rather of the community, which from their works derives its supposed moral teaching, than with any particular reference to the persons themselves.

The first temptation which besets a man in his literary avocation, is that of lowering the standard with which, if left to himself, he would endeavour to arrive at conformity, and bringing down the purposes at which he aims; for the obvious reason, that works on all the higher topics of thought, and which in their production imply, and in their perusal also, a strenuous and continuous exercise of mental power, are the least acceptable to the world, and the last which are likely to afford anything like remuneration to those by whom they are produced. The world generally does not care about them, and the man who lives by his pen must employ himself on something of a lower and lighter description. The work on which to the end of his days Mr. Hazlitt most prided himself, and a noble work it was—his *Essay on the Principles of Human Action*—an elaborate demonstration of the mighty truth, that disinterestedness is natural to man; this work never paid him, perhaps, a tithe of what he reaped from a single paper, hastily and carelessly thrown off, on the manner in which Mr. Kean performed this or that cha-

racter of Shakspeare. Godwin's Political Justice—a work which, whatever may be its defects or its errors, is yet a grand performance—a work which does honour to the individual by whom it was produced, and to the country in which it was produced—a work in which there is more of great and broad moral principle, more of vigorous and energetic reasoning in the application of that principle, than any other perhaps of modern times which could be named; this, I apprehend, never was to him a source of remuneration like his Caleb Williams, which, with all its power, is only a lengthened narrative illustration of one or two chapters of the Political Justice. Mr. Rutt's edition of Dr. Priestley's works, those twenty-five thick volumes of the acute and ingenious disquisitions of a man of most keen and versatile mind grappling with the greatest topics of human thought, and ranging from the abstrusest points of theology and metaphysics to the most familiar concerns of daily action and youthful education: this work probably never realized anything like the profits of some slight sketch of the denominations of the Christian world, affording us the means of easily knowing in a few sentences what this or that sect puts forth as its distinctive dogma, or practises as its distinctive form. One might go on long with contrasts of this sort. We might show in all departments of mind, and of art even, that the lofty, the grand, the severe, that which supposes the higher powers in the producer, and that which calls into exercise the higher powers of the peruser, is far inferior in its recommendations for adoption to the man who lives by the exercise of his mind than what is comparatively a trifling production. That stately poem of Wordsworth's, the Excursion, can never have paid like the Fudge Family, the Twopenny Post-bag, or the Rejected Addresses. And while the music of Purcell—music, of which our country has so much reason to be proud, with all its varieties, sacred and secular—is only

brought out with difficulty by a poor, meagre, paltry subscription, fortunes are made by such things as, "Cherry Ripe," and "Oh no, we never mention her." The man who would live by literature is ever under temptation to abandon the noblest purposes which his own mind can conceive, and which it would excitingly task his best powers to execute; he must not appeal to those higher faculties in others with which he most desires to be in collision or in sympathy; he must attempt something less. No work of the severest logic that he can produce will be so good to him in a pecuniary point of view as some light, trifling, sparkling essay. No history, though it should relate to events of the greatest importance in the annals of the world, and depict the strongest powers of individuals in their strenuous conflicts with each other, or with society, would be profitable to him, however ably told, like an historical novel where every fact or character may be falsified with impunity for effect. In every case he is impelled, if he looks to his own personal interest, to prefer the lower to the higher, the lighter to the more severe.

In the next place he is tempted to accommodate himself to large classes of society. "Always move with the masses," was the motto of Napoleon in his political career, which led him not to do that which he thought best for mankind, but to consult its actual state, and see where opinion and prejudice had a strong hold upon numbers, and make that his guide. So the writer is tempted to move with the masses; and there are certain great classes of society, notoriously intolerant, whose favour it must be an important object to propitiate, and whose hostility he must by all means take care to shun. The first and greatest class which presents itself is that of novel readers—those who will only endure works of fiction, or works which approach to fiction in the mode in which they present facts. The name and form of poetry

went out of fashion with the cessation of Scott's Chivalric Lays and the death of Byron, nor does the factitious taste seem likely to be revived. Those who might have kept up clever imitations for awhile, are not quite so well employed in supplying the silly demand for high-life gossip, of much the same worth whether it be genuine, or sheer invention. The next great class is the religionists. Inattention to it, and following out the dictates of his own mind and his own genuine views of the characters with which he had to deal, at one time nearly became a most injurious circumstance to Sir Walter Scott, with all his popularity, when in his representations of the Covenanters he exposed himself to a severity of censure, a feeling of hostility, which none of his other writings encountered, although many of them contained matter far more exceptionable. And the Edinburgh Review, in its most palmy days, experienced a severe shock, a material decline of its circulation, from a satirical exhibition of Methodist and Missionary societies, in which, though there might be a good deal of exaggeration, certainly there was not more of that quality than would be found quite consistent with popularity, when only directed towards purposes and objects which were not cherished by so large and powerful, tenacious and intolerant, a body as that class of religionists.

Many reputations have been made by classes, and especially by that to which we are now adverting. Cowper, no doubt, was a poet—a genuine poet, and of no very inferior description; and yet all the beauty of his finished, but rather Dutch paintings—all the simplicity of his style—all the purity of his sentiment, would never have given Cowper the prominent position—the disproportionately prominent position which he occupies in the list of English poets, as shown by the course of publication, had he not in his religious opinions been identified with the evangelical party. Other reputations

which have not so firm a basis as his, have in like manner been raised from time to time; nor have there been wanting instances of an opposite description, in which the prejudiced judgment of a sectarian tribunal has availed, for a while, to degrade the true bard in public estimation, and despoil him of the laurel which eventually becomes his by the only final award—that of his peers. The writer, therefore, is continually under the temptation to suppress thought—to depart from the simplicity of his own mind, in consequence of the influence of these large and powerful bodies in society. But he comes under another, and in many respects a yet worse power. As in politics, between the people and the throne there is a large and irresponsible body who may prevent their communication—who may intercept the good which they would produce to one another; so between the public and even the noblest regality of intellect, there is also an irresponsible power—the power of the trade, of the bookselling capitalist, who intervenes, and that often in a most injurious way for both parties, between the writer and the readers. The results of the accumulation of capital in large masses are similar in this trade to what they are in all others. A practical monopoly is formed—a power is created, which can, and which does give the most poor and mediocre compositions an artificial celebrity, a forced circulation—which, hostilely directed, keeps back works of higher and better founded pretensions from the public; and which sometimes interposes its absolute previous veto in a way which an unaided author is unable to overcome at all. Some of the best works in the language have been very nearly stifled by this veto: and of a lighter class, such books as *Robinson Crusoe*, and the *Vicar of Wakefield*, however great their subsequent popularity, have been subject to rejection in the first instance. To these might be added works of more modern date, and

of decided success eventually, which the authors were able to arrive at in this case, but who can tell the cases in which no such result is attained?

The inquiry to the man of trade, is merely one of trade. It is one in which his judgment must be continually biased; it is one in which his powers enable him to some extent to realize the success which he desires, and to prevent that which he deprecates, although both the desire and the hostility may be as far as possible from the ground on which they should rest in reference to the instruction of the people, and to the promotion of truth and knowledge throughout society.

The consequence is, that the writer becomes a dependent; that he has to adapt himself to views which are so confined that very often the mere circumstance of connexion, or want of connexion, with a titled family or a wealthy one, may be the occasion of acceptance or rejection. The writer, I say, has to become a dependent on a class, and to sink into the tool of that class; to put all the stronger and nobler powers of his intellect in abeyance; to be a mere getter up of that which it is judged, as a matter of pecuniary interest, will so far suit the public taste, as to render it a profitable speculation. He deals in plagiarisms, and abridgments, and accommodations, and selections. He becomes less and less the principled, vigorous mind which should fulfil its native destiny, and which might, in so doing, realize for himself and others, the highest amount of good.

Yet worse temptations succeed to these. He is led to realize more and more profit by greater rapidity of writing, by that sort of periodical composition in which all time for thought and reflectiveness is annihilated; in which the whole operation degenerates into the mere production of words, words, words, so long as these words can be made an article of exchangeable value to his patron. Perhaps he sinks yet lower, and earns his sub-

sistence by that anonymous writing in connexion with newspapers, which, though it may, and assuredly does consist in some cases with the purest and the highest principle, has temptations which lead towards the grossest dereliction. For these are monopolies, too; monopolies for personal purposes; monopolies for political and party purposes; monopolies with every immoral inducement; exposed, at least, to every immoral inducement, to deviate from the true, the impartial, and the useful. He is tempted to prostitute his powers yet more and more. He now becomes an adept at the plausible sophism, the dextrous insinuation, the malignant innuendo, the daring falsehood. He ever has a reason ready for any measure which his employers' interest may require, or that may promote the objects of the party to which his publication is devoted, or obstruct the purposes of the opposite party. He trades in falsehood—direct and glaring falsehood—in the imputation of opinions, or even the description of conduct; sometimes, perhaps, in that of transactions which pass before the eyes of hundreds and of thousands, when he knows that he can make the reverse believed by other hundreds and thousands who were not present; yea, by millions even, on whom the influence of his publication may be exercised. Even more loathsome than political profligacy are the depths to which he may descend. Screened by his namelessness from all responsibility; ministering fuel to every fierce and foul passion; catering for every grossness; blazoning turpitude for the filthy appetite that feasts on such garbage; with an interest to serve, or a spite to gratify, in every direction; perhaps pandering at once to both political parties, and to any other parties that will pay; the masked wretch goes forth in the dark with his poisoned dagger—now striking at his friend's reputation—now at his country's freedom; and if his thunder please the infernal gods to whom he has sold his soul, he may at last, when faction improves a

momentary success, to plunder the nation, be rewarded by place or pension at the expense of that public which has had him for its intellectual guide, political director, and moral teacher !

I have been describing temptations, inducements to evil, which exist in the circumstances, whether or not they are brought into effective action upon this or that individual ; and there are those who hold on through all, who have bound their own first principles upon their hearts, and never failed nor quailed in their arduous course. There are men content to forego the prospects that awaited the application of powers of a lower description, in a lower sphere, as it appeared to their conceptions ; men who would tramp the world, like Goldsmith ; who would walk the streets through many an unsheltered night, like Savage and Johnson, better poets than the one, and not inferior moralists to the other ; who would submit in their sturdy honesty to be battered and buffeted about, as was Daniel De Foe ; who would continue their pursuits, loved for their own sake, even in prison, as did Sir Walter Raleigh ; who would bear up under the pangs of sickness and a lacerated heart, as did the poet Keats ; who would even beg, like Stowe the chronicler ; and who, if through all vicissitudes they yet endured to old age, would go on, like Dryden in his seventieth year, complaining he was at last to die of over-mental exertion imposed on him (the glorious old man !) even at that time of life, for the supply of his own necessities, and for those of his invalided child : and who, like such men, will through lives of unrequited but not unjoyous toil, through sustained but not unfelt (often by them most bitterly felt) privations, and deaths of penury, enter upon their immortality, and inherit the praises of generations, who will build their sepulchres, raise their statues, and starve their successors.

Little presumption of moral pravity is there in the

proverbial penury of men who, mentally, are highly gifted, and who, because they are so, can ill accommodate the direction of their powers to the purposes of a mere trading literature. For how helpless must the man whose years have been devoted to intellectual pursuits be in comparison with many others, even with the most unreasoning mechanic and artisan that ever followed given directions for the production of a mere material result. When disappointment after disappointment comes upon him, as it often must in his own peculiar avocation, what is there to which he can turn, or where find new resources? It has happened to me to have the evidence of his own manuscripts of the talent of a man who was evidently not inferior to many who are followed from week to week as competent to teach the public in morals or in politics, but who, notwithstanding, by circumstances was reduced to a state of distress, that the imagination, even after all the testimony of experience, with difficulty connects with the possession of anything like mental superiority. He had been a Catholic priest, but his intellect was too irrepressible to be confined within the boundaries of the spiritual domination which that church exercises. He groped his own way towards Protestantism; he assumed that exercise of the right of private judgment which is the real essence of Protestantism, and without which its name is only abused and perverted by any church or body of men to whom it may be applied, or by whom it may be assumed. He was taken up by one of those proselyting societies which is ever on the look-out for clap-trap conversions, turning them to purposes which bear anything but a genuine Protestant character. Lionized amongst these people for a year or two, he did not answer their purpose, and was cast off, utterly abandoned, without connexions, without resources; and this man was actually (and without the failure, that I could perceive, either of principle or honourable prudence) so

reduced at last as, after having parted with more than his spare raiment for daily subsistence, to stand with bare and bleeding feet sweeping a crossing in this metropolis, with a broom for which he was indebted to the charity of a neighbouring shopkeeper.

I have given a rapid view of the temptations and sufferings which beset the literary avocation—let us now look for a moment at the causes of these, and see what there is in them to demand and direct exertion for their correction.

It is evident that the first and leading cause of the evils endured or perpetrated by literary men is the low estimation in which their avocation is held in this country. It takes no rank; it realizes neither wealth nor station, except in rare instances; and wealth and station are the standards by which worth is too commonly tried in this commercial nation. The claims of intellect are not yet fairly recognized. It may be that they cannot be generally appreciated, and that, therefore, it is not strange they should not be allowed. I am neither excusing nor condemning. I am simply stating the very obvious fact, that intellect does not command the respect which is yielded to wealth and station. How extraordinary would a Prime Minister of this country think it, if any one were to propose to him (a creation of peers being supposed to be in contemplation) that he should elevate to the Upper House men who had distinguished themselves merely as authors, though in their authorship they might have developed the highest powers of intellect with which humanity has ever been invested. How astonished would he be if one were to say, “Make a peer of Lytton Bulwer”—not because he is of an ancient family, but because in his various works he has shown a genius that can pierce into the workings of the human heart—one of the first qualifications of a legislator; and in his work of “England and the English” he has depicted like a philosopher many of the ramifications of that aris-

tocratical spirit by which the whole mass of society in this country is pervaded and perverted. Make a peer of William Wordsworth, a true poet, for he also shows himself a philosopher; a man gifted with "high capacities," and whose mental vision, Conservative as he may be, has a much ampler horizon than that of any now engaged in the task of aristocratic legislation. Make another of Southey, a man of similar principles, but of great intellectual wealth, and of amazing versatility and keenness of mind. Make another of Mill, the author of the History of British India, and the writer of those Essays on Government, Jurisprudence, Education, &c. (in the Supplement of the "Encyclopædia Britannica"), which show him eminently qualified for one of those legislators—if such legislators there must be—who are raised above responsibility to the many who are supposed incapable of judging. Make another of Bailey, who has alone given a philosophical rationale of that representative form of government under which, partially at least, we live, and which is the germ of all national freedom and greatness. How would our Premier be astonished at the proposition; and the public generally would be astonished also: and yet if the reason often set up for hereditary and irresponsible legislation, that it secures to us men of high education, men prepared for the functions of legislators and statesmen, men of clearer and calmer minds, who are therefore the most appropriate check on those who, being raised by, only express, the popular feeling and opinion with all its imperfections and fluctuations—if this were not the most despicable cant, the most flimsy fallacy that was ever attempted to be palmed upon the world, such would be the men who would be first placed in that questionable position, could they be made to submit to it, and from whom alone, if from any, the supposed results of public good could be anticipated.

Literary men have not been just to themselves, and that is one reason why the world has been so wanting in justice towards them. It is unfortunate indeed, that their most prominent failing has been that sin for which the world has least charity; they are not so careful of the pence as are most other classes. Notwithstanding the palliations which I have just advanced; the complete vindication from this imputed error which may be made out in many cases; there are many others, no doubt, in which the charge must be confessed. And the spirit of trade has shorn that portion of the all-covering mantle that would hide a pocket which has been rashly emptied. But this their one failing has been redeemed by a thousand virtues. One may trace amongst the most improvident of authors, an adherence to principle,—a preference of internal rectitude and goodness to that which is merely external,—a generosity, a beneficence according to their means often most unwearied; and we lament that the mental energy which is possessed should not realize the prudential motive more strongly, so as to free them from this reproach. At the same time one cannot admit this as sufficient to obliterate whatever else of good may belong to them. They have been wanting to themselves: let them but secure means, by any combination which they can effect, of a fair hearing with the public; let there be but something like independent literary tribunals erected on the works which are brought forth; let the best motives have the freest scope—and they cannot fail to raise themselves into a situation, such as is, in some degree, possessed in France, more influential with the public, and which will give to intellect its proper rank in comparison with the other distinctions in the community. Let them but once do this, and I think we may safely predict that the world is about to receive a fresh and mighty impulse; and that a more rapid course for knowledge, and freedom, and goodness, may be antici-

pated. For its own sake, and for that of the world, should a wise people cherish the independence of their writers.

Another source of evil, and a reason of the degraded state in which the literary profession is kept is, the state of its responsibilities, both legal and moral. These are of the worst description. The writer's code is the law of libel; if such terms as code and law can be gravely applied to this undefined and barbarous monstrosity. I should rather say, instead of being subject to a law, that he is within the meshes of an all-comprehensive net, which may any moment be drawn close for his destruction. He is subject to a species of government the most partial, the most irregular, the most incapable of reduction to principle, the most arbitrary, sometimes the most tolerant of evil and at other times the most severe against good, that can possibly be imagined. Our law of libel, as it is called, has no definition; nobody can say what does or does not constitute the crime. There is no shelter for an avowed writer. No person could put a pen to paper and the paper to press half a dozen times without being liable to the operation of that law, if judges and juries could be found either desirous of, or even indifferent about his conviction; while nothing has ever been punished by it of which worse specimens might not be found that have been allowed to go unpunished. He is thus driven to the anonymous. The anonymous newspaper writer, sheltered by the monopoly interest of which he is the agent, is almost the only person ever speaking to the public through the press who is not under the power of this capricious and often cruel despotism. Any description of the crime of libel, any definition whatever, would be an inestimable good compared with the present. Falsehood put forth with intent to injure, would perhaps be the best; but any description whatever, that would but define the offence, and

apportion punishment to offence, would tend to bless the country, by putting the instructors of the country into a more safe, becoming, and honourable position.

The moral responsibilities of writers are in as bad or worse a condition, very much in consequence of their legal position. The common tolerance and encouragement of the anonymous system is disgraceful. The world ought not to endure the shrouding of their names, who come forward to claim its attention in matters of importance and interest, involving, as for the most part they needs must, some claim of confidence in the writer for information, integrity, and public principle; and if allowance must be made for cases in which it can be justly said that only argument or indisputable fact is presented to our attention; or if there should be some opportunity provided for those whose diffidence would not let them come forward in the guise of instructors; let every publication whatever, have an avowed editor, who may take this diffidence under his care, and who may stand to the world as fairly and fully, legally and morally, responsible for whatever he presents to the world, whether from himself or others.

If these points were well considered, and public opinion could be made to act on them,—the advantage would be soon felt through the profession; and especially would this be the case with what I would next remark upon, and that is the taxation upon literature. This tends to much suppression, and to much perversion. Very early were the jealousies of government excited with relation to the press, and jealousy of its power must always be felt by every government not in harmony with the people. Censorships accordingly were generally established; they prevailed in this country for some time, and nothing could be printed but by licence. Milton dealt the death-blow to this system, in his cele-

brated *Areopagitica*. It was not entirely abolished until forty or fifty years afterwards—corruptions are ever long dying—but die it did; and he effected incidentally, an achievement which might be almost regarded as a miracle, namely, the conversion of the person who filled the office of licenser, and who formally made his recantation. The censorship only survives in its power over the acted drama; in all other cases publication is so far left free that, according to the usual proceedings of English legislation, the attack is made on it in the shape of taxation. It is still fineable to endeavour to enlighten the public mind. The paper is taxed; the advertisements are taxed; almost, perhaps every portion of the machinery of printing and publication is taxed; and of the book when produced eleven copies have to be presented to certain public libraries, which is also a tax often most oppressive, and sometimes equivalent to a prohibition. Mr. Babbage, in his very interesting work on the “*Economy of Machinery and Manufactures*” states that the cost of bringing out that work was 276*l.*, and that of this amount 42*l.* were paid directly in taxation, besides what was paid indirectly. That is to say, Mr. Babbage’s communicating the results of the observations of a most active, honest, and ingenious mind, upon the manifold operations which came under his notice, to the public for their instruction, was an offence for which he pays to the government a penalty of forty guineas. Now whether such as these should be the offences to be put down, or if not put down, obstructed and punished by penalties, it is for the people of this country to consider, and in due time to make their rulers consider. The expense of an octavo of 500, 750, and 1000 copies is given, from calculations furnished by an eminent bookselling house, in *Maculloch’s Dictionary of Commerce*; and it there appears that, supposing, what very seldom happens,

the entire edition to the very last copy to sell off, at the fixed price, in an edition of 1000, the taxation just equals the remuneration of the author; that in editions of 500 or 750 the taxation is more than the remuneration of the author; and that supposing—which is the case with 999 publications out of 1000—that the entire edition does not sell off, the result then is, that the taxation is paid out of the pockets of the author, or the capital of the bookseller. Such is the mode in which we encourage men to devote their time and toil for the enlightenment of the community, and diminish or decline what other advantages we might derive from the working of their brains, to extract from them some paltry pittance towards defraying the national expenditure.

Then something is done to gratify the trade, as every trade powerful enough in this country is gratified—by the taxation or the prohibition of the productions of other countries. Every man whose children go to school and study the classics, pays a tax thereon. Foreign books are prohibited except on the payment of duties: those which were printed before the year 1800, and which consequently are the least useful, being chiefly in request as curiosities for the libraries of the wealthy, are taxed lower; those which have been printed since that time, and which therefore are generally the most valuable, bear proportionably a higher tax. But such books as dictionaries and class books are prohibited altogether; and for what reason? Why that they are produced so much cheaper in Germany than here, that if it were not for the prohibition, our schools and academies would be supplied with their school-books from abroad, to the great lessening of the charges upon the parent's pocket, and to the production of many other good results, by the more extensive diffusion of works so cheaply got at; these, therefore are prohibited altogether, as a little bonus for the booktrade.

But the worst of this species of taxation is that on newspapers. Having gone at some length into this subject in the lectures on the Taxation of Knowledge delivered last spring, I shall now merely glance at it. Who can doubt that the taxation is inimical to the interests of mind and morals, which produces the results which were then delineated? Who can doubt that mind and morals must be the worse for a system that assumes information to be a luxury which ought to be confined to the higher orders, and from which the lower, the poorer class, should be debarred—even though that information have reference to the conduct of their own agents, in the transaction of their own concerns, in legislative assemblies, and the courts of law and justice? Who can doubt that that taxation is inimical to mind and morals which sets up or sustains a monopoly of public information for political and party purposes, a monopoly pestiferous alike to individuals and to the community? Who can doubt that mind and morals are the worse for a taxation which excludes men of higher principles and of purer feelings from the arena, which bars them out of this great sphere of public instruction, which confines them to less efficient modes of speaking, and intercepts the communication between the knowledge of the country and its ignorance, between the teachers of the country and those who should be taught, between the feeble and those by whom they might be strengthened for the wise guidance of their own exertions? Who can doubt that mind and morals are the worse for a taxation that obstructs the dissemination of all kinds of knowledge, that renders impracticable that extended announcement of different works of science, whether of physical or moral science, which can only be accomplished by means of advertisements? Who can doubt that mind and morals are the worse for a taxation that has led to the creation of a great illegal power, an unstamped press, circulating not only by thousands, but

by hundreds of thousands—existing in defiance of the law, and showing that the law is in such a state as that the feelings and the minds of men will not endure its supremacy, and that there is a separation effected between that which ought to bind society together, and those emotions of the human constitution which alone can render the obligation effectual?

What outcries continually resound through the land on account of imposts which have scarcely a particle of the iniquity that attaches to this. The Agricultural Interest, the Shipping Interest, and all the other Interests, ever and anon call out most loudly; this alone is taken quietly; it is only the intellectual and moral interest of the entire community.

Improved education will be the best remover of these evils; although public opinion, if it can be sufficiently aroused, may do much toward their immediate alleviation. It is only in consequence of imperfect education that much of the mischief could ever be tolerated. Let the sphere of education be extended and its quality enriched, and a generation will not be long arising that will not bear the idea of taxation upon knowledge; that will scout the notion of any impost being levied on that which should rather be endowed; and atone for the narrow-minded selfishness, or blind submissiveness of their forefathers; a generation that will not swallow the trumpery and the trash that is now often pushed by artificial and trading means into an extensive circulation, to the neglect of much that is most valuable; a generation that will scorn the incompetent and hireling tribunals that now dictate in literature, that will demand, obtain, and recompence sound mental aliment, and will know how to receive as well as to influence, presenting a rich and fertile soil where the seed deposited by the best minds of the times shall take root and spring up and grow to an abundant harvest. Soon may such a period arrive! But

whether slow or rapid in its advance, whether public opinion can be excited sufficiently to hasten it, or whether it is to wait for the development of means yet latent, this we know, that the press, the essential character of the press, remains the same. It is, it must be, a great, a resistless moral agency. Still must the press be the great conservator, the best preserver of the world's intelligence—the ark in which intellect will float safe through any of the convulsions of anarchy or deluge of tyranny, that are again to overspread the surface of the earth. Let the literary man be disappointed; let his high aspirations be dashed to the ground, or his heart worn out; let him fail of his remuneration; let the interposition of mercenary influence be ever assailing him with temptations; let neglect follow him through life; let want be his portion and his death premature; yet still when once a valuable work has passed the press, there it is; and great indeed are the chances against its being overwhelmed in final oblivion. The author may have passed away uncelebrated—he may have been the martyr where he should have been the honoured champion; but still, like seed cast upon the waters which may be found after many days, the offspring of his intellect may descend to a generation which shall cherish it; and at length his name gather all its glory, and succeeding generations render the late, and to him then unavailing tribute, but yet that in which, if his imagination realized it, he saw the noble recompense to which his heart aspired. The hireling critic may depreciate, the partizan may abuse, the edition may be limited, the trade may be hostile, the public indifferent, and the writer starve; but there is the press in its agency of conservation. That agency it has fulfilled, and shall ever fulfil with the great works of antiquity, the wisdom, philosophy, poetry, which are the world's inheritance, into which it has entered, and which shall never perish. From remote periods have they des-

cended, and now are safe from all the perils that were surmounted in their early transmission,—safe beyond the power of earth's vicissitudes, of its changes of government, the subversion of its social forms, or of the shifting of empire, to whatever regions. They cannot be touched; the monuments erected by those master minds have now entered into the immortality of their creators. The works which made the hearts of our fathers' fathers glad within them, shall make the hearts of our childrens' children glad within them also, as they shall study them in coming ages. They shall remain monuments of what mind has done in the past, and prophecies of its yet more glorious destiny to be accomplished in future generations.

The press remains the great disseminator, the diffuser of knowledge in wider, and yet wider circles, allowing nothing like an unprofitable accumulation amongst individuals or small classes, but still prompting the philosopher and the man of learning, science, or invention, to give to the multitude, to the yet growing multitude; and to not a depth can society descend but there the power of the press sends knowledge after it to redeem it from its degradation; and to no extent can society spread itself but knowledge will follow it, filling the whole sphere, and irradiating it with its own celestial light, until we find realized the tendency of all knowledge to become the property of all; and man bearing throughout all the congregated multitudes of society, and all the diversities of nations, the intellectual image of his Creator.

The press remains the great uniter, the means of communication between mind and mind, however widely they may be separated by external circumstances. This is the great mission which it has to fulfil, and which it has been gradually advancing towards the fulfilment of, although it was long before men perceived the operation. It gives the opportunity for knowledge to communicate to ignorance, for the highly-gifted to raise their fellows

however low they may be sunk, to call all to one great conference where each may speak, where each shall be attended to ; for even those classes which have heretofore been as the dumb, have now found a voice and speak through the press, as with miraculous organ. All are approximated, and tending to become, not only in name and form, but in reality, one vast society. The rich and the poor meet together ; mankind come into something like a state of unity, of equality, of free, open, and generous discussion, in the presence of that God who is the maker of them all.

The press remains the great reformer and improver of the world ; not only in its stern rebuke of corruption ; not only in exploding prejudices ; not only in putting down this or that abuse ; but by leading the world onward towards positive good, and yet higher and brighter good. It enables individuals—and there are always such—to start forward from the ranks of their fellows, with some bold thought which has fixed itself on their minds, to which they find fit audience, though few at first, ever enlarging its numbers ; and if there be but sympathy in the world they attract it ; and where there is energy they arouse it ; and the time will come, more rapidly perhaps than we anticipate, the time which transforms the generally scorned into the universally received. All things have their appropriate powers ; those of evil and those of good ; those of darkness and those of light ; but happily we perceive at a glance where the strength lies, the prevailing strength. We see where is the temporary, where is the enduring ; and hence our hopes are placed on a foundation which cannot be shaken, amid all the changes of life, the convulsions of nations, and even in the agonies of death. The press is, and must remain, the great improver of the world, in spite of all conflict, all opposition, all opposing influences, which are doomed rapidly to pass away. We

have this gift of God for us, and what can be against us? Tyranny has physical force, a guard of armed hosts; vain distinctions and titles have the base servility that cringes before them, or aspires to their possession; for legalised injustice there is antique precedent; superstition is sustained by credulity and hypocrisy; and truth, wisdom, virtue, freedom, and humanity—they have the Press.

FINSBURY LECTURES.

REPORTS OF LECTURES DELIVERED AT THE
CHAPEL IN SOUTH PLACE, FINSBURY,
BY W. J. FOX.

No. VII.

CLERICAL MORALITY.

(THE SEVENTH OF A COURSE ON "MORALITY AS MODIFIED BY THE
VARIOUS CLASSES INTO WHICH SOCIETY IS DIVIDED.")

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CLERICAL MORALITY.

RELIGION is moral. While in one view, a broad and philosophical view, of the religious principle, we may regard it as universally inclusive; not only morality, private and political, but science, art, poetry, and philosophy, being merely its subordinate departments; there is another view, contemplating the adaptation of means to ends, in which we must consider religion as a department of morality. Religion is moral, for it is the means of happiness. It is so to man, from the earliest period at which he can imbibe its spirit, up to the latest moment of being in which he is conscious of its power. It is so, through all the changes of his life; in his best enjoyments, and in his bitterest sorrows; in all the bustle of social communication and exertion, and in all the reflectiveness of solitude; in whatever he can realize towards the formation to excellence of his own character, and in whatever he can achieve of benefit to his fellow-creatures. It is the means of happiness: for its discoveries are better for man than that he should imagine all existence to be bounded by the visible external world, beautiful as that world is, and much as there is of grandeur spread over it: it is happy for him to think that there is a beauty more delightful than its loveliest scenes; and a higher sublimity than its grandest exhibitions. It is good for him to live under the influence of things invisible, as well as visible; and to rise from being a mere creature of the dust, to hold communion with powers and principles of a more ethereal nature, of loftier energy, and of longer duration. It is happy for man to believe that there is system, order, plan, design,

in the world of which he is a part ; not to ascribe whatever takes place to the sport of chance, or to the blind operation of unconscious laws, but to infer that there is a Creator, a Supporter, and Preserver ; and to trace the power of that universally diffused Spirit in all the manifestations of external things, and in all those mightier combinations, those more intricate processes, the development of which constitutes the light of history, and makes us perceive in the whole universe, material and mental, of created beings, a great machine, moving still in accordance with the principles on which it was constructed, for the realization of his purposes who is the first and greatest of Beings. It is happy for man to extend his views in time, as well as in space ; to the future as well as to the remote and the invisible ; and to entertain an anticipation,—a grand and ennobling anticipation—of the prolongation of his own being,—of his conscious powers—even through the mighty change of death ; and thus learn to reverence himself as the heir of an immortal existence. One need scarcely point out the ways in which these conceptions, convictions, and hopes, must minister to consolation and moral strength, and through them to human happiness. They furnish restraint for grosser natures, which are not to be found in any of the provisions made by human art. They give impulse and enjoyment to minds of a higher order, such as could be supplied from no other source, and such indeed as are their refuge when they turn away from the comparative nothingness of much which earth boasts as its greatest treasures. They tend to purify and to refine ; they stimulate to honourable and useful exertion ; they give moral energy and power ; and raise man into something of the likeness of that Being who is the object of religious emotion and adoration.

But, however unhesitatingly we may affirm that religion is moral, we cannot extend the proposition to everything which bears the name, nor to many of its exhibitions or modes of administration. In too many

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instances these are obviously and strongly immoral. The essential good is unhappily veiled, perverted, and lost, in the circumstantial evil. When we look back to the rude and gross conceptions entertained in antiquity of superior powers; when we take the portraiture, either corporeal or mental, of the beings, real or imaginary, before whom they bent the knee; when we observe the rites by which their gods were worshipped, often most gross, cruel, and disgusting; or when, leaving what may to us exist only in the pages of history, or in the accounts of remote countries, of which we necessarily form but imperfect conceptions, we come to our own times, and the region which we inhabit—how much there is in the administration of what is termed Christianity, that we cannot hesitate to set at once in contrast with the excellence that we assign to the essence of religion, and regard as the immoral setting-forth to the world of that which is, in itself, most moral. Such are the dogmas that cripple and crush the human intellect; such is the subjugation of rational man to the dictation and power of his priest; and such is whatever calls for the prostration of his understanding, and not only of his understanding, but of his heart; for how often have the feelings been subjected to a rod of iron, as relentlessly wielded by spiritual domination, as ever was the power of creed over the intellect. We cannot apply the epithet of moral to ceremonies which have no meaning, and which lead men away from those acts of humility, justice, and mercy, by which alone they commend themselves in the sight of God and man; nor to systems which excite animosity where they ought to realize fraternity, which promote intolerance where they ought to establish religious liberty; and which, instead of leading man to luxuriate in all the beneficence of his Maker, shining in the heavens above, and reflected on the earth below, spread one dark gloom, one universal pall over existence; representing our present state of

being as only ■ sojourning in a waste howling wilderness ; and any other state of being which may be in reserve for humanity, as fraught with displays of vindictiveness, and the infliction of torments that shall be everlasting.

These are as immoral as religion is moral. The question before us, as the subject of this morning's lecture, is, How far the Clerical Profession—the profession which administers religion to the people, standing between that religion as it is given from God to man, whether in nature, or in the volume of Christianity, and the human beings who are to be the recipients of it—how far a profession which has this for its office, is liable to temptation, and aberrations from the true standard of morality, *in consequence of its being a profession*, under the various regulations which apply to it in the Established Church of this country. And it is desirable that this limitation of the subject should be distinctly understood. I am not about, on the present occasion, to enter into the question of religion generally. I am not about to show in what true religion, as distinguished from false, exists ; nor to tracé either the truths it reveals, or the observances it may require. I am not about to discuss the expediency or the necessity of a priesthood, whether there should or should not be a body of men separated from their fellow-creatures, vested with something of a sacred character, and acting as mediators, either between God and man, or between religion and humanity. Nor shall I discuss the doctrines of the Church of England ; their truth or falsehood, their completeness or their imperfection ; or its devotional forms, whether they besuch as tend best to call forth a devotional feeling, or whether they be inferior to others that might be constructed, or whether any such forms at all be desirable. Nor shall I even go into the question whether the political establishment of religion be useful or pernicious for a country, consistent with the spirit of Christianity, or inconsistent with that spirit. None of these points are more than

incidentally involved in my present subject, the distinctness and simplicity of which we shall best preserve, and also consult its harmony with the other subjects of the course of lectures which I am now concluding, by strictly confining ourselves to this question—whether the clerical profession, as now constituted in the Church of England, is moral or immoral in its various tendencies; and in what direction and degree temptations exist in it which are likely to lead its members astray on matters of personal or social duty.

Perhaps the best mode of discussing this question is, to take an individual through the succession of influences which the profession presents, and brings into action upon him. To trace him from the beginning; to refer to the education for that profession; then the mode of entrance upon it, by subscription to Articles of Faith; the avocations to which it calls him; the patronage under which he lives; the relative position in which it places him with regard to the rest of society; and the *esprit de corps* which his connexion with other individuals so circumstanced, must tend to generate.

As to the first of these, education for the clerical profession, one striking circumstance is presented to us at the outset, namely, that in the Church of England there is no previous requisition as to character; as to mental and moral aptitude; as to adaptation for the peculiar work which is to be the business of the life of the individual. If there be any profession which more than all others requires a previous investigation into these circumstances, assuredly it is the clerical profession, which is to be conversant with subjects of so spiritual a nature, and of so momentous an influence. And yet the person who is to be the spiritual guide of hundreds or of thousands in after life, has no inquiry made into his own disposition and propensities; nothing is done to ascertain whether he manifests anything like religious character, or has shown such qualities, in the degree of formation

which it has already attained, as to render him trustworthy of this important function. There is no inquiry even into his aptitude for teaching: and teaching, in all its branches and departments; teaching, in every sphere in which it can be exercised, even from the guidance which the nursery maid has over the sensations of the infant, up to the greatest power that the loftiest mind can exercise over others; teaching, in every case, requires previous aptitude of no common degree, and which, therefore, should be ascertained with no common care.

Eminently, in this case, is it requisite that the aspirant should have a strong devotion to his work—the spirit of religion—and the earnest desire for the communication of religious and moral principle to others. He should be one who feels, if not that supernatural call to which enthusiasm or imposture has often pretended; he should feel the call of God within him, to give himself up with all his heart and powers to such a work as this, before he enters at all, either upon the immediate preparation, or upon the direct and practical exercise. Something of this sort is done in other cases, inferior as those cases are. A boy is not trained for the army unless there be something of muscular strength, of animal courage, and of an aptitude for that mode of life; unless this is already, in some degree, developed, or capable of being traced. He is not devoted to the law, at least not by a wise and judicious parent, unless there be some symptoms in him of that peculiar species of mental power which will be there called into exercise, and on the exercise of which his future fame and fortune must depend. And even in the very commonest operations of trade, in the most mechanical departments to which humanity can be devoted from its earliest years, there is something of an attention to the peculiar turn and genius of the individual—something of a desire to place him according to his capacity. And wherever there is a want of this harmony, we can forebode nothing but uselessness and misery

to the individual, making him a subject of suffering in himself, while he is only an incumbrance upon the world in relation to others. But it seems as if, by a strange infatuation, we lost sight gradually of the necessity of this aptitude, as we advanced into the regions where that necessity is most apparent: for while we do require it in these lower functions and operations, when we come to the task of legislation, to those who are to form the rules by which man's temporal life is guided, we then pay much less attention to the previous mental aptitude, than in any of the cases which have been enumerated; and when we come to that which concerns the future as well as this world, and which requires the highest fitness, then we neglect it altogether. While inaptitude in every occupation and profession must be depressing, must be crippling to the individual, most of all must it be noxious in the clerical profession. A jarring there between the propensities of the person and the functions of his office, is fraught with far deeper evil than in any other walk of life. The danger is of a darker hypocrisy, if he loses his own consistency with his profession. The danger is of a bitterer suffering, if the incompatibility becomes to him the occasion of suffering at all, and he does not grow into a hardness which is yet more to be deprecated. Of all the mischievous incongruities in the world, that which induces the greatest amount of moral evil and of personal wretchedness, is the want of fitness, the conscious unfitness, of a clergyman for his avocation; and the most to be pitied and deprecated. Disregarding, however, all considerations of this description, the youth is sent for an university education. Disregarding them, perhaps, on account of some remote prospect of preferment, of advantage from political or other connexions,—perhaps, on account of some living, the property of a friend, relative, or member of the family—disregarding them even on the ground of purchase, often made in order to realize in this way a provision for the younger

branch of a family,—disregarding them from whatever reason, the youth goes to a place and a mode of instruction which are bad enough mentally, and much worse morally. One need not refer to such expositions as those made by Mr. Beverly, and other writers, questionable, perhaps, in some of their details, of the state of things in our Universities, and of the fitness of such a state for the training up ministers of religion, the agents, as it were of Providence, to guide men in the paths of truth and happiness. But looking only at their constitution, and the general nature of their pursuits and studies it is evident that they can be no appropriate school for the production of religious and moral teachers. The predominant objects of study are mathematical and classical learning, the one greatly over-rated as to its effect in inducing a logical habit of mind, the other but remotely connected with the future pursuits of the individual. With what complacency can we regard even his proficiency, the best thing to be expected, in that species of learning which is most in request? Suppose a classical taste formed, what is this to his future office? What is a high degree of interest in sentiments, in mythology, in events, which are altogether unconnected with, and alien from, and hostile to, the spirit of Christianity—what is this as the formation of one whose soul ought to be entirely imbued with the spirit of Christianity? And then the mere accumulation of such a number of young men, many of them with large command of money, from the most wealthy and aristocratical families in the country—what can be the operation of this on one who is to be trained for a parish priest, but to lead him to habits of dissipation and extravagance; even worse, of down-right profligacy and licentiousness; habits of all others the most degrading in themselves, and the most utterly incompatible with even a decent discharge of the functions he is subsequently to exercise? In the course of instruction, there is an almost total absence of whatever it most con-

cerns him to learn. Where have been the most enlightened, the most liberal, the most learned and philosophical divines? Where have they been formed? Where have they been teachers? We certainly trace not many such names on the rolls of the English Universities: we must look abroad for them. By far the greater portion of the most illustrious are to be found in Germany. There is nothing of that mode of teaching, in our Universities, which unites the clearness of reason with the warmth of religion, and which makes man not cease to be a philosopher when he becomes a devotee. There is not even anything like a competent mode of inculcating the principles of moral philosophy, or of leading to any sound acquaintance with it as a science. There is no preparation for aptitude in the exercise of their art, the art of public instruction, not even in its simplest elements. And his experience must differ very much from mine, who has not frequently had occasion to observe, that the prayers they read, and even the sermons which are, professedly at least, their own composition, are not understood by themselves, and are obscured or falsified to others by their enunciation. How few clergymen there are who even repeat the Lord's prayer with an emphasis which shows that its several petitions are either understood by their minds, or are felt by their hearts. The want of aptitude in the great majority of the clerical profession has long forced itself upon men's attention, and is such as would not be endured in any occupation whatever in which men's temporal interests were at stake, to however small an extent those interests were involved.

There is nothing in the habits of college life to prepare the future clergyman for his residence amongst his parishioners, and for being the friend, consoler, and director of the members of the different classes and gradations in society, especially the middle and lower classes, with whom he will be then brought into contact, and to whom it is his business to sustain such relations. If all

the requisite fitness and excellence come upon him, they must come by chance, or by inspiration, or by miracle, or by the force of subsequent circumstances; but certainly he is sent into the world for the most arduous conflict without any armour which can preserve him safely, not to say enable him to pass triumphantly, through its perils.

Such is the state of things as to education; and we cannot but regard it as tending, at the very outset, to render the profession neither moral nor spiritual in itself, nor adapted to act well upon society at large. We cannot anticipate from such a commencement that it will become a practical recommendation of religion or morality; that it will exercise any influence on their behalf, as to the great bulk of the community; while we have much reason to apprehend that it may operate in a different way, and repel where it ought to be a constant source of mental attraction.

But let us look a little at the entrance into what is called the sacred office. In common with other members of the University, the clerical student is subjected to that practice of *swearing in* to some sort of service or slavery, which is so abundant in our country; and which shows such a strange propensity to arrogate, as it were, a power of directing the Deity, and putting his omnipotence in requisition wherever the desires or interests of man may lead him to look forward to the exercise of power over his fellow-creatures. We swear men to obedience in almost every direction: in the army, in the excise, on the bench, and certainly not least of all, in the clerical profession. I am not now referring to subscription to the articles of religion, but to the oaths of obedience to college statutes, which have to be taken by all students, and which are unfit enough for any to take, although most of all unfit for those who are destined for a religious avocation. It is not easy to get at materials for the full exposure of abuses of this kind: but their apologists furnish us with materials enough, with ample materials,

for moral reprobation. Paley, whose keen sense enabled him to perceive a reason wherever a reason was to be found for any thing; and the prevailing honesty and kindness of whose nature always led him in a right and moral course, unless where existing institutions exercised a strong bias over his mind; speaks in this manner in his *Moral Philosophy*, on the oaths to observe local statutes: "Members of colleges in the universities, and of other ancient foundations, are required to swear to the observance of their respective statutes; which observance is become in some cases unlawful, in others impracticable, in others useless, in others inconvenient." Still the swearing goes on, and the object of the writer, himself a clergyman, and writing thus for clergymen, is to show some sort of excuse for the continuance of that which, by the very statement of the case, had become obviously gross and universal perjury. He says, "The observance of those respective statutes is become in some cases unlawful, in others useless, in others inconvenient." One would have expected the very next sentence to have been a declaration that these oaths cannot be taken; that, therefore, they are all to be swept away forthwith; no such thing: "Unlawful directions are countermanded by the authority which made them unlawful." It is difficult to perceive the pertinency of this remark. The University imposes an oath binding to the performance of a certain action; the legislature, (not the same power, be it observed; this is not an instance of the making that unlawful which the same authority had before required as lawful); but another power, the legislature, declares such act to be unlawful; the University persists in the imposition of the oath for its performance; and what is the fair construction but that the University intends to fight it out with the legislature, to swear its own members to act against the laws in this particular. Else why retain and enforce the oath on one generation of students after another, while the legislature has directed that the

act shall not be done? Not so Paley; he considers the prohibition of the legislature as taking away the guilt of perjury from the consciences of the men who swear to do that unlawful act, but who never intend to perform it. He goes on to say, "Impracticable directions are dispensed with by the necessity of the case." Why not then dispense with the oath? Why keep it up in the face of impracticability, as if college statutes were to be a declaration of war, not only against the laws of the land, but against the laws of nature and Providence? He adds "the only question is, how far the members of these societies may take upon themselves to judge of the *inconveniency* of any particular direction, and make that a reason for laying aside the observation of it." The introduction of such a principle as this of simple inconveniency as a release from the obligation of an oath, is one which Paley would scarcely have admitted into those chapters of his book which relate to pecuniary transactions between man and man. He then adduces cases in which the rule of inconveniency will apply. It must be manifest; it must arise from some change in the circumstances of the institution; it must be prejudicial to the particular end proposed by that institution. In these cases he thinks that inconveniency not only allows a subsequent violation of the oath, but allows the taking the oath with the purpose of violating it; for that is the character of the act in question. "The statutes of some colleges forbid the speaking of any language but Latin within the walls of the college; direct that a certain number, and not fewer than that number, be allowed the use of an apartment amongst them; that so many hours of each day be employed in public exercises, lectures or disputations; and some other articles of discipline adapted to the tender years of the students who in former times resorted to Universities. Were colleges to retain such rules, *nobody now-a-days would come near them.* They are laid aside, therefore, though parts of the statutes

and as such included within the oath, not merely because they are inconvenient, but because there is sufficient reason to believe that the founders themselves would have dispensed with them as subversive of their own designs." The reasoning of this passage makes one blush for humanity, to say nothing of religion. Nobody ought to "come near" the schools in which this flimsy, impudent, and interested sophistry is taught for moral philosophy. The establishment of institutions, of modes of instruction, which drive men to equivocations such as these, to subterfuges which are not to be surpassed by any of those that distinguished the casuistry of the Jesuits, and made the name of Jesuit a by-word on the face of the earth, cannot but be most obnoxious to moral censure, cannot but be thoroughly opposed to anything like simplicity, common honesty, straight-forwardness, and good conscience, in those who are thus trained for the office of the Christian ministry.

They have then to subscribe to the Thirty-nine Articles, which act includes subscription to the excellence of the Prayer Book and of the Book of Homilies. I mean to avoid any discussion of the truth or falsehood of the creed of the Church of England. It is enough for my present purpose to observe that these articles are so multifarious, and contain such a number of propositions, frequently clashing with one another, that I cannot comprehend how any man, even though his intellect may have been most vigorously exercised on the subject through the course of many years, can give them the firm assent required by the act of subscription with any safety as to his own satisfaction and truthfulness. But what says Paley upon this matter? "They who contend that nothing less can justify subscription to the thirty-nine articles, than the actual belief of each and every separate proposition contained in them, must suppose that the legislature expected the consent of ten

thousand men, and that in perpetual succession, not to one controverted proposition, but to many hundreds." And assuredly the legislature, absurd as it is, did expect this. The intention was most clearly and strongly declared, and the declaration was renewed by subsequent political authorities, and is set forth with great distinctness by the declaration of King James, in the preface to the Homilies, as they were re-published in his reign. Unity, absolute and entire unity of faith, is the declared object of these articles; and yet a clergyman turns away with something like a smile at people's simplicity, saying, that to suppose *believing* necessary to subscribing them is a most extraordinary proposition.

It is easier for a camel to go through the eye of a needle, as it seems to me, than for honesty to pass uninjured, unmutilated, through this Caudine portal. I condemn not those who have done it, and some of whom have given subsequent evidence, and strong evidence, of honesty. I can only say that it altogether baffles my comprehension. Were the articles as few, plain, and unquestionable as could possibly be devised, I should still say, that subscription was an immoral act, and tending to immorality. It is bad for a man's mind, it is bad for his conscience, ever to attempt to do—that which he really cannot do—to tie up his future thoughts and convictions to one particular mode and form—to say "I will believe this, and disbelieve that, as long as I live." The attempt shows ignorance, and tends to produce the evils against which it is adopted as a protection: for if such a man have a conscience, what must be his emotions when publications and arguments are thrown in his way, as they must be at times, of a character to stagger his convictions? Would he not be apt to look back to the subscription which he made, and which he virtually renews every day, so long as he remains in the church, and say, "I have sworn to these points; it is better that I should not enter into any investigation. Or may not

the very circumstance of having made such a pledge, give, perhaps, exaggerated strength to the opposing arguments which present themselves to his mind? May it not act even to the production of a scepticism which he might not otherwise have felt; to the suggestion of doubts, which he might not otherwise have experienced; to enfeeble and bias the powers of his mind in relation to that which he would else have judged of impartially; and thus produce both a factitious scepticism, and a factitious profession and zeal in the struggle to keep down that scepticism? Throughout the whole of a clergyman's life he is subject to temptations that would arise even from the very plainest and simplest form that could be devised; but when that form is expanded into a number of articles, and through them into the three creeds and the volumes of the Common Prayer, the Homilies, and the Canons, what truthfulness can stand against the multifarious imposition?

Constituted as men's minds are, incompatible as many portions of these various productions are, there is to my apprehension no possibility of saving conscience and interest both, in this first step taken by the individual in his progress towards the universal inculcation of sincerity towards God and man in all other things.

We go on now to the avocations of clergymen. Of these one of the most prominent is, that every Sunday he reads the prescribed form of worship. And here a new set of temptations, of the same class but of constantly renewed occurrence, presents itself to his mind. If there be—and strangely constituted must be the mind to which it does not so happen—if there be any thing incompatible with his own convictions of truth in the routine of worship which he performs as in the presence of God, and speaking on behalf of those who are assembled to benefit by his ministrations; if there be but one proposition of the hundreds implied in the Liturgy, to which he yields not his assent and credence; what is his position but that of a man continually repeating, as an act of devotion, what

to him is not even a simple truth. And in the different expressions of religious doctrine, of moral duty, and of devotional feeling; and in the way in which various classes of persons are mentioned and prayed for, in the established forms, how is it possible for any fineness or nicety of religious feeling to escape this difficulty in some direction or other? There have been those who would leave the church rather than pray for the monarch of the day, whoever he might be, as “our most religious king”—a form introduced into the church service in compliment to that very pure and pious monarch, Charles II. He must repeat this, whatever his opinion of the reigning sovereign; even though the singular discrepancy should present itself, in this complimentary act of devotion, of his being in opposition to the very individual referred to; even though the head of the church should be setting the example of violating the solemn injunction of the church; for it is said, that George III. struck his pen through those words in his prayer-book, and substituted for them, “a miserable sinner:” and had all the actions of George III. shown similar truthfulness, and tenderness of conscience, it might have been more glorious for his own memory, as well as more felicitous for the country. In this particular the clergy did not follow their head, although he is declared by the law under which the church exists, to have a power to correct any error or heresy whatever that may be introduced into the church, or indeed that may exist in the nation. And to the correction of no error can he be presumed more competent than of one relating to his own character.

How can the repetition of devotional expressions, whatever the state of the individual’s mind, operate in any other way than to deaden feeling altogether? The ceaseless repetition of forms expressive of strong emotion, is one of the surest modes of hardening and crushing even the very capacity for emotion. But, in spite of this, the

clergyman must go on; he must have, or he must play the hypocrite, certain feelings at certain moments. At ten minutes before eleven every Sunday morning, his mind must be under deep convictions of his own sinfulness, and agonized with penitence; and at about five minutes past eleven, his heart must be gushing forth with overflowing and benevolent thankfulness for God's good gifts to himself and his fellow-creatures; and so, through all the round of emotions which can agitate, tranquillize, depress, or elevate the human mind; they must come according to the clock; or, if not, the external profession must come, reducing the whole to mere words, and rendering the mind scarcely capable of spontaneously feeling the sensations which are thus verbally and mechanically expressed.

In the other avocations which devolve upon him—for he is a functionary continually brought into contact with society—in baptisms, confirmations, marriages, burials, the visitation of the sick, &c.) in all these it becomes his office, his duty, to put on the expression of feeling, to use the language of sympathy and emotion, to give vent to verbal expressions, whatever be the condition of his mind at the time; nay, he must have opposite states of feeling sometimes, in virtue of his office, in reference to the very same individual character; and on the Sunday he reads the Athanasian creed, consigning solemnly to eternal damnation the heretic who doubts or denies that creed, and on the Monday he buries the anathematized sceptic, and declares him to be his “dear brother” who has gone to his grave “in sure and certain hope of the resurrection to eternal life.”

He goes amongst men as one vested with authority, whether or not he be truly conscious of that authority. The assumption of spiritual character—the assumption of preternatural, of superhuman authority—is thrust upon him: his fanaticism must rise to it, if his sincerity is to

be preserved ; and if not, he sinks into hypocrisy ; for in the round of Roman Catholic acts of priestcraft which are now so emphatically and affectedly denounced, what more offensive assumption can there be of the attributes of deity itself, than the language which the clergyman is ordered to address to his sick parishioner when he says, “ By Christ’s authority committed to me, I ABSOLVE THEE FROM ALL THY SINS ! ” One would imagine that a man of any devotional principle would shrink from the language prescribed here, and that no requirements of superiors, no oaths by which he may have been enlisted, like a recruit in the army, to obey the orders of his spiritual superiors in the ranks of that great ecclesiastical legion, would ever reconcile him to such a violation of his own reverential feelings ; such an invasion of the prerogative of the God whom he adores.

The mode in which the clergyman is remunerated, the kind of patronage under which he lives, are such as must often bear hard upon the moral principle. Of all means for remunerating any service, real or imaginary, none has ever been devised so inexpedient as the payment of tithes : an uncertain and fluctuating kind of payment, at least since anything like improvement was introduced into agriculture ; a tax upon that improvement, levied, if the amount of the claim be contested, in the most offensive mode ; leading to direct collision with those who are to learn from his lips the law of love ; very often, where the population is of a different faith, exciting to the worst actions ; having produced, at no great distance from us, scenes to which I need not more distinctly advert — scenes of oppression, of violence, of horror, of bloodshed ; in all times, and under all forms, liable to objections that should be fatal, but growing more and more exceptionable as society advances, and more and more intolerable. Yet in this mode is he paid his wages, receiving I believe generally very much less than his legal due, the full exaction of which has become abso-

lutely impossible; ever stimulated to a craving after more, and ever giving offence by desiring even one little fraction in addition, to bring him nearer to his legal right; and thus put in a state of collision with his flock which is inconsistent with the peace of the neighbourhood, and has spread over a large portion of this country feelings of discord and irritation inimical alike to the morality of all parties concerned, those by whom they are occasioned, and those by whom they are realized.

Then look at his dependence. In the clerical profession the natural proportion of work and of pay does not hold. It is not increased exertion, it is not increased usefulness, that entitles to increased remuneration; if there be anything like a ratio kept in view, it is the reverse of this, and the remuneration increases as the labour diminishes; thus adding to other instances in which idleness is canonized and consecrated, and held up as that which most honours man, while it is in fact that by which he is most disgraced. The great lesson of the church is, that there may be honour, power, luxury, and large possessions, in connexion with idleness; while there is but the slenderest pittance awarded to the best success of the most meritorious labours. Patronage, from the lowest gradation to the highest, is ever the clerical cynosure. He is not dependent on his merits,—not dependent on the people, the recipients of his instructions, and the best judges of the worth of those instructions to their own minds. But with the absence of this dependence, there is the presence of almost every kind of dependence that is most degrading. He is dependent on private patronage; made servile and sycophantic towards this or that great man in the neighbourhood, who may give him something beyond the means of bare subsistence, with which, perhaps, he commences life, and from whose favour alone he has anything to anticipate. He is dependent on the bishops; and there is a degree of dependence on episcopal authority amongst

the clergy, most noxious and disgusting. Any man's rise in his profession, however fairly earned, and unquestionably deserved, may be by them stopt; stopt in the most capricious manner; stopt, not only without cause assigned, but without the possibility of tracing the cause; stopt, not only for their own life, but even posthumously. A writer on this subject has stated his own case, which was this:—Being a devout and zealous member of the Church of England, he sought ordination. He had made himself on some points, political ones I believe, an obnoxious person; but still no permanent evil was apprehended. He was episcopally encouraged to expect ordination when prepared for it: he did prepare himself, obtained his degree, but found himself obstructed,—the Archbishop of Canterbury having written to the bishop, who was to ordain him, requesting him not to do so without a reference to himself. That any charge existed against him, there seems no reason whatever to suppose; nor is there any clue to the hostility which dictated this prohibition. While he was hoping to get it removed, the archbishop died; the application was renewed, but every bishop to whom he could apply, received an intimation that the late archbishop had left a memorandum, that the candidate was not to be ordained without a reference to him; and as a reference to him had ceased to be possible in any other way than by sending one of the other bishops after him, it has never yet been made. A legend records, that during the preaching of St. Augustine in this country, the lord of a certain manor came out of his grave, in which he had lain upwards of a hundred years, in order to confess his sin in not having paid tithes regularly, while he lived upon earth; and to admonish his successor, the lord of the manor of that day, to pay his tithes without fail to the holy priest, who was then celebrating mass in his demesne. But though lords of manors may revive to enforce payment of tithes, bishops and archbishops do

not come back to restore the rights of their clergy, on whom they have committed acts of oppression.

In addition to this dependence, there is the ulterior one on political faction. The hopes of the professed teacher of truth and righteousness; the successor of the Apostles; the agent of Christ's kingdom, which is not of this world, rise and fall, just as Whig or Tory may be in or out of place, or may have the prospect of gaining or losing place. On these changes, often produced by the dirtiest intrigue, their expectations are contingent; their means of usefulness contingent; and to the vilest temptations of personal servility, are added those of factious sycophancy.

Look at the relative position which the clergyman bears in society, and to his own order; thus dependent on his own superiors; thus marshalled in the ranks of a profession which seems imbued to a yet greater extent than most are with that veneration of orders and ranks which obtains throughout our population. He is ever looking up,—ever stimulated to do something or other, often to the incurring of a disproportionate expenditure, to link him with the higher gradations of his profession: if he is but a canon, aiming to be a prebendary; the prebendary again looking to the archdeacon,—the archdeacon to the bishop,—the bishop to the archbishop; and modeling even spiritual functions with a view to these ranks, and their connexion with other ranks, to such an extent, that one of our present colonial bishops, not long since rebuked the host who entertained him at dinner, for calling on him to invoke a blessing on the meat, because it was not regular for a bishop to say grace but in the presence of royalty.

Then look at his relative position as to Dissenters. With them he is generally in a state of collision. The co-existence of established and non-established religions, divides the population of the country—those who pay any regard to religion—into two great classes or castes; the

one favoured, endowed, privileged ; the other struggling for freedom and equality. With one of these he is connected ; he is put locally at its head ; and he must, he cannot but be imbued with those party feelings in a greater or less degree (I speak of the general influence of the system), which have induced so much bitterness in various ways throughout this country. Where you find in a small country town, a Dissenting congregation establishing a Lancasterian school for the instruction of the children of the poor, the clergyman forthwith establishes what is called a national school, in opposition to it : unable to support two charity schools at once, the neighbourhood soon sinks into a more utter destitution of education than before. In his connexion with the society of his neighbourhood, he becomes a member of one of those little, paltry, petty aristocracies, which manage to multiply and render universal the curse which aristocracy in its more magnificent development inflicts on great national communities. He is either the friend and companion of the squire, or he is the squire's rival ; either way he belongs to that exclusive set which makes the village a poor imitation of the worst portions of society, as they are exhibited on a larger scale.

Then look to his relative position as to the people at large ; a people animated as is the population of Great Britain at this day, by a sense of political right, struggling for more distinct civic existence than it has before realized. The clergyman is, by his very position, thrown into the adverse ranks ; this man, whose heart should be in all sympathy with those of the different classes of society, whose mind should ever enter most readily into their minds, and realize all their thoughts and wishes ; he is enlisted into a state of hostility in a struggle which is to them one of the most exciting conflicts in which they can possibly be engaged. At elections he is sure to be found on the opposite side, canvassing against them, and using his influence for the obstruction of their

best interests, and their political rights. And what can resist the combination of such influences as these? What can be expected, but that, as we are told by travellers of ample observation and of indisputable ability to judge, in no country in Europe, however despised in some cases may be the superstitions which the clergy preach and practise; however poor, in other cases, may be their remuneration, and consequently their ability for the display which acts on vulgar minds; still in no country in Europe are the clergy so low in public estimation, so utterly devoid of moral influence over the great bulk of the population, as they are in Great Britain.

There cannot but grow out of this combination of circumstances, a tendency to separate the clergyman from society, linking him with his fellows in the same profession, and giving them common objects and purposes which in this case, as in all others, are pursued less scrupulously by bodies than by individuals. We all know the effect of the corporate spirit; we know the change which it tends to realize even in the best and sturdiest men. We know how familiarity with established corruptions, and the calling forth of social sympathy with their agents, blunts the feelings to wrong, and leads eventually, in many instances, to a union of exertions for the promotion of that which at other times, and in a better state, the individual would have been foremost in the attempt to demolish. A corporate spirit is worst of all, where it is an amply endowed corporation, and an irresponsible one, as is the case of the clerical profession in this country; which holds the great national instruction funds, of such an immense amount, and by which so much national benefit might be realized; which holds them without performing either the good they were originally designed to produce, or that for which, by an enlightened and patriotic legislature, they ought assuredly to be made efficient.

I need not exhibit separately and in detail, the par-

ticular personal aberrations which thus, in various ways it will be seen, there is a tendency in the clerical profession to realize. The equivocation, the sycophancy, the tendency to servile feeling, the danger of hypocrisy—these, and many others, must present themselves forcibly to your minds, as we have traced the causes by which, if not checked by opposite and other causes, they must be produced.

The state of the dissenting minister is not so bad as that of the clergyman, although it also has much of evil to be deprecated; which evil indeed seems inherent in every form and mode whatever of the priestly character; for the dissenting minister is, to a certain extent, a priest also, as well as the clergyman. In his education, however, generally, there is a previous requirement of something like religious character and feeling: thus giving, at the outset, a principle to conflict with the temptations to which he may be exposed. The mode of instruction, although inferior as to classical attainment, is generally superior in relation to that kind of knowledge which the theologian more especially requires, and in cultivating the aptitude for communicating his own opinions and feelings to the minds of his fellow creatures. He also is subjected to a test, and subscription; although it may not always be a subscription in form, there is the implied imposition of a creed upon him; and some portions of the evils of subscription are thus produced, although in a less degree, inasmuch as he can at any time make his escape with much greater facility from the yoke than can the clergyman. His avocations also have their tendency to insincerity in the assumption and expression of emotion not felt at the time; but his insincerity generally affects the words employed by himself, and is not vented in words which are provided for him. His remuneration, wherever the circle of his supporters is not so confined as to render him dependent on individuals, is less adapted to corrupt than is

that of the clergyman, even with all its dependence ; and in his relative position towards society, he is at least borne along by the current of feeling of the class to which he belongs—generally the middle class of society—and borne along by it in a direction far more favourable to civil and religious liberty than can be realized in the other instance. Much is there to be deprecated, indeed, in the influences which attend his avocations, but it is proper to mark these distinctions between his trials and those of the established priest.

Let a man enter on such functions, a man even of the purest nature, of the nicest conscience, of the most thoroughly formed and decided principles, of the best habits ; still I cannot perceive how he should pass through them unscathed. But what must be the case of those who have no such preparation, of those who are formed, whose characters are made, by the very temptations and evil tendencies that I have described ! and how large a portion, we have reason to apprehend, must ever be of this description, when we remember the fact that of the 10,000 or 11,000 livings in this country, upwards of 5,000 are private property. Here is one great establishment of trading in religion, enough to pollute all the sources from which religious thought and feeling should flow over the land.

The laws against simony must ever prove a feeble barrier against traffic, direct or indirect, in what is called the cure of souls ; nor can they oppose any impediment to that training of youth for the church, merely as a lucrative profession, which is the same, or rather, perhaps, worse in its influences. Men are ever formed by systems. And though there may be a bare possibility of correcting or mitigating the evils of political influence and private property in the administration of religion ; of making a lax education consist with personal virtue, an official devotion with real feeling, external dependence with mental independence, venturing in a great ecclesiastical lottery

with indifference to the prize, obtrusive and pervading temporality with spiritual-mindedness, almost military subordination with good citizenship, and paid idleness with voluntary zeal: yet that bare possibility, if it exist, has assuredly not been discovered—that delicate, difficult, and dangerous problem has not been solved, by the church of England in its regulation of the clerical profession.

And what has a priesthood ever been? What, under any circumstances, recorded in the world's history? As far back as we can go, wherever we can find any trace of a class of men thus separated from and factitiously raised above their fellow-creatures, with what are we presented but with scenes of equivocation, fraud, hypocrisy, imposition, and persecution?

The priestcraft of antiquity ever aided oppression, often becoming itself the great oppressor; its frauds and exactions knew no bounds, and it fooled the credulity of the people to its topmost bent; while by its corrupt and corrupting rites which were consecrated as worship, the work of demoralization was carried on, till civilized society seemed to be in danger of losing its distinctive superiority, and of becoming one great mass of worse than savage foulness and pollution.

But it may be said that this was in the days of heathenism, and that a priesthood becomes a purer institution now, for we are under the Christian dispensation.

We *are* under the Christian dispensation; but when I look at that dispensation, when I regard its origin, when I refer to its founders and primeval annals, I do not find the establishment of a priesthood there. I see the Jewish and the heathen priesthood superseded by the Gospel; but Christ was not a priest; his apostles were not priests; they did not make priests; they were men, in simplicity and fervency, in the power of truth and in the wisdom of love, going forth to benefit their fellow men, and teaching them to unite together in voluntary associations to carry on the blessed work. But investiture with spiritual

authority, the creation of authorized interpreters to stand between God's word and men's consciences—these are not in the New Testament ; and he who represents the priesthood as purified and amended by Christianity, has to learn, from the records of Christianity, that it might abolish, but that it never consecrated or established a priesthood.

But then the advocate for a priesthood may say, it might have been so in the first promulgation of Christianity, but that does not apply to the different circumstances in which it was placed when it had made its way in the world ; then it was found that a priesthood was necessary, and that it must arise in the church. Very true, and it did arise in the church ; and what fantastic tricks did it not play in the world, in the sight of heaven, and to the degradation of earth ! How rapid was its progress by means of false miracles, and other aids not less nefarious ! How rapid was its progress to supremacy over political power, over mental action, over moral feeling, over the social state of mankind, and over the hopes and apprehensions which are cherished in relation to futurity, until the head of that priesthood seemed to move as a god on earth, and with powers which the gods of antiquity had scarcely possessed in the imagination of the poets by whom they were described ; a priesthood that trod on the necks of kings, that disposed of thrones, that for an offensive word would lay a parish, a province, a nation under interdict ; would abolish all sacred rites, would put the whole population in a state of gross and grovelling humiliation, of deep and dark despair, until it bowed them into unconditional submission to its own tyrannical and unrelenting will.

But the advocate for a priesthood will say, this was corrected at the Reformation. And how corrected at the Reformation in this country ? Why that, instead of a pontiff at the head of the church, there was a king at the head of the church ; while the mighty chain that bound men's properties and souls was wrenched from the papal

footstool in order to fasten it to the throne of a licentious tyrant : and there was it firmly bound ; and to the throne of his successors, from one to another, has the church remained bound ; obliged at all times to recognize in whoever might be the sovereign of the country, one qualified to represent Christ on earth, to create ministers of religion, to vest with an authority which is pretended in the title of those who hold that authority to be derived from God's grace, or, if the mitred man be an archbishop, from Divine Providence ; regality being the " grace" and the " providence" by which these spiritual dignities are created and the functions connected with them exercised upon society.

The apologist for ■ priesthood may say again, that this is corrected by the freedom of our constitution and the institutions under which we live. And how is it corrected by them ? That constitution, and those institutions, while they curbed regal authority, did so for a long period of time, only by setting up oligarchical authority, and bringing into play the power of aristocratical party ; binding men together in different factions, who regarded all the offices in the state, and the right of taxing the state, as the prize for which they were to struggle, in conflicts which often resembled rather the friendly sport of a village May-game than serious warfare, especially when only principle and public peace and freedom were at stake. And in these proceedings the church was ever entangled, itself transformed into a faction also—having its own separate party spirit and aims, and leaguings with other parties too often to sustain their corruptions by a mutual and base barter ; both acting in opposition to the general rights of the great mass of the people which was altogether unremembered and unregarded in these political arrangements.

Is it said by the apologist that this evil is mitigated by the toleration of dissent and by the holy emulation thus produced ? I allow there has been some correction here ; but to how small an extent, and by what means !

What has been the result? Has it ever made the clerical profession the simple heartfelt originators of schemes of benevolence, or led them to aid those schemes till they were driven to the adoption of their semblance by the very spirit of opposition, or competition? Has it ever made them as zealous, as devout, as unceasing in their attentions to the poor, to the poorest and the lowest classes, as the methodist preachers of England, and the catholic priests of Ireland? Has it ever identified them with the feelings, religious and political, of the middle classes, as the dissenting minister is identified? Has it ever inspired them to act efficiently upon those higher classes which are represented as the exclusive province of their usefulness, and enabled them to point, as their work, to a pure and patriotic, a virtuous and devout aristocracy? Nothing of all this; it has only put them in an adverse position to what appeared the growing good of other classes, and led them to wage a sectarian warfare, keeping up animosities that ought to have been buried in eternal oblivion.

Is it said these evils will be corrected by the recent reforms in the institutions of the country, and by the results which necessarily follow from that reformation? Aye, to be sure they will be, when the clerical profession can no longer put a stop to such corrections; they will be when the corrupt parties and factions with which the clerical profession is too often in alliance shall be also unable to resist the flowing tide of public opinion, demanding that what exists by the people shall exist for the people also; and that there shall be, not nominal, but a real and efficient church reform, that shall reduce pay to the appropriate wages of meritorious service; a church reform that shall destroy all distinctions and influences that are incompatible with the public good; a church reform that shall demand service that will benefit men's minds, that will advance their useful knowledge in this life, and their rational anticipation of another—solid food, instead of the empty babbling of dogma and contro-

versy ; a church reform that shall realize national education, adult instruction, and whatever of spiritual culture the country can have provided for it out of the ample and glorious funds which exist as a national provision for that purpose.

Most deeply to be lamented is it, that in this, or in any other case whatever, religion should have been degraded into a trade. Here is the essence of the evil ; here is the fruitful source of all the various species of immorality, the temptations to which I have been endeavouring thus briefly and rapidly to sketch. Never should any man—I will not say who values religion himself, but any man who values the well-being of society, consent to arrangements which degrade into a trade that religion which is in itself most pure, spiritual, and ethereal ; which is too fine in its essence, too elevated in its attributes, and in its influence on the mind and the heart, thus to be entangled in the grossest and most corrupting of human concerns ; that religion which owes its power to its being so properly an individual concern ; entering into man's mind as a principle from heaven, with authority to command all movements of the intellect, all feelings of the heart, and all actions of life ; regulating in solitude and in society that which he is to be and to do, and forming in him the moral image of his Maker ; religion which is at once most worldly and most unworldly ; most worldly, because there is not a concern of human interest, not an action of human energy, not a relation of human being, however trifling and temporary, to which its power does not extend, and in which it should not render man better in himself and the source of more abundant blessing to others ; and most unworldly, because while thus conversant with all the things of earth and of time, it breathes the spirit of immortality, points upwards to Heaven and God, and bids man look forward to eternity.

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